

<u>2570</u>	Extensive Extensive		Redundant Rejected - Redundant	✓		✓	Closed
<u>2571</u>	Non- Extensive	6.8	Rejected - Redundant	✓		✓	Closed
<u>2572</u>	Non- Extensive		Rejected - Redundant	✓		✓	Closed
<u>2573</u>	Non- Extensive		Rejected - Redundant	✓		✓	Closed
<u>2574</u>	Non- Extensive		Rejected - Redundant	✓		✓	Closed
<u>2575</u>	Non- Extensive		Rejected - Redundant	✓		✓	Closed
<u>2576</u>	Non- Extensive		Rejected - Redundant	✓		✓	Closed
<u>2577</u>	Non- Extensive		Rejected	✓		✓	Closed
<u>2578</u>	Non- Extensive		Rejected	✓		✓	Closed
<u>2579</u>	Non- Extensive		Rejected	✓		✓	Closed
<u>2580</u>	Non- Extensive		Rejected	✓		✓	Closed
<u>2581</u>	Non- Extensive		Rejected	✓		✓	Closed
<u>2582</u>	Non- Extensive		Rejected	✓		✓	Closed
<u>2583</u>	Non- Extensive		Rejected	✓		✓	Closed
<u>2584</u>	Non- Extensive		Rejected - Redundant	✓		✓	Closed
<u>2585</u>	Non- Extensive		Rejected - Redundant	✓		✓	Closed
<u>2586</u>	Non- Extensive		Rejected	✓		✓	Closed
<u>2587</u>	Non- Extensive	2.2.7	Other	✓		✓	Closed
<u>2588</u>	Extensive	2.2.7	Rejected - Redundant	✓	✓		Closed
<u>2589</u>	Extensive	2.2.7.1.2.1.3	Rejected	✓	✓		Closed
<u>2590</u>	Extensive	6.8.2.2	Rejected - Redundant	✓	✓	✓	Closed
<u>2591</u>	Non- Extensive	2.2.7.1.2.2.6	Rejected	✓			Open
<u>2592</u>	Non- Extensive	6.8.3.5	Rejected	✓	✓		Closed
<u>2593</u>	Extensive	2.2.7.1.2.1.3	Rejected - Redundant	✓		✓	Closed
<u>2594</u>	Extensive	2.2.7.1.2.2.6	Rejected - Redundant	✓	✓		Closed
<u>2595</u>	Extensive	2.2.7.1.2.1.3	Rejected - Redundant	✓	✓		Closed
<u>2596</u>	Non- Extensive	6.8.2.2	Rejected - Redundant	✓	✓		Closed

<u>2597</u>	Extensive	2.2.7.1.2.2.6	Other	✓			Open
<u>2598</u>	Extensive	6.8.3.5	Rejected - Redundant	✓	✓		Closed
<u>2599</u>	Extensive	2.2.7.1.3.5	Refer to EAC for resolution	✓			Open
<u>2600</u>	Extensive	2.2.7.4.2.1	Rejected - Redundant	✓	✓		Closed
<u>2601</u>	Extensive	2.2.7.1.2.1.3	Rejected - Redundant	✓	✓		Closed
<u>2602</u>	Extensive	2.2.7.1.2.2.3.4	Rejected - Redundant	✓	✓		Closed
<u>2603</u>	Extensive	2.2.7.1.2.2.3.9	Rejected - Redundant	✓	✓		Closed
<u>2604</u>	Extensive	2.2.7.1.3.4	Rejected - Redundant	✓	✓		Closed
<u>2605</u>	Extensive	2.2.7.1	Other	✓		✗	Open
<u>2606</u>	Extensive		Rejected	✓	✓		Closed
<u>2607</u>	Non-Extensive		Rejected	✓	✓	✓	Closed
<u>2608</u>	Extensive	2.2.7.1.2.2.3.8	Refer to EAC for resolution	✓			Open
<u>2609</u>	Non-Extensive		Rejected	✓		✓	Closed
<u>2610</u>	Non-Extensive		Rejected	✓		✓	Closed
<u>2611</u>	Non-Extensive	...	Rejected	✓		✓	Closed
<u>2612</u>	Non-Extensive	6.8	Rejected - Redundant	✓		✓	Closed
<u>2613</u>	Non-Extensive		Rejected - Redundant	✓		✓	Closed
<u>2614</u>	Non-Extensive		Rejected	✓		✓	Closed
<u>2615</u>	Non-Extensive		Rejected - Redundant	✓		✓	Closed
<u>2616</u>	Non-Extensive		Rejected - Redundant	✓		✓	Closed
<u>2617</u>	Non-Extensive	2.2.7.1	Rejected	✓		✓	Closed
<u>2618</u>	Non-Extensive		Rejected	✓		✓	Closed
<u>2619</u>	Non-Extensive		Rejected	✓		✓	Closed
<u>2621</u>	Non-Extensive		Rejected	✓		✓	Closed
<u>2622</u>	Non-Extensive		Rejected	✓		✓	Closed
<u>2623</u>	Non-Extensive		Rejected	✓		✓	Closed
<u>2624</u>	Non-Extensive		Rejected	✓		✓	Closed
<u>2625</u>	Non-Extensive		Rejected	✓		✓	Closed

<u>2626</u>	Non-Extensive		Rejected				Closed
<u>2627</u>	Non-Extensive		Rejected	✓		✓	Closed
<u>2628</u>	Non-Extensive		Rejected	✓		✓	Closed
<u>2629</u>	Non-Extensive		Rejected	✓		✓	Closed
<u>2630</u>	Non-Extensive	...	Rejected	✓		✓	Closed
<u>2631</u>	Extensive	2.2.7	Other	✓		✓	Open
<u>2632</u>	Extensive	2.2.7.1	Rejected	✓		✓	Closed
<u>2633</u>	Non-Extensive	2.2.7	Rejected - Redundant	✓		✓	Closed
<u>2634</u>	Non-Extensive	2.2.7.1	Rejected - Redundant	✓		✓	Closed
<u>2635</u>	Non-Extensive	2.2.7.4	Rejected	✓		✓	Closed
<u>2636</u>	Non-Extensive	2.2.7	Rejected	✓		✓	Closed
<u>2637</u>	Non-Extensive		Rejected	✓		✓	Closed
<u>2638</u>	Non-Extensive		Accept modified	✓		✓	Closed
<u>2639</u>	Non-Extensive		Accept modified	✓		✓	Closed
<u>2640</u>	Non-Extensive		Rejected	✓		✓	Closed
<u>2641</u>	Extensive		Rejected	✓		✓	Closed
<u>2642</u>	Non-Extensive		Accept modified	✓		✓	Closed



★ Tracking & Management System

View All Comment Recommendations

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Lines per page

Reference Number	Classification	Section Number (or Glossary or General)	Recommended Resolution	KSU Signoff	Working Group Signoff	EAC Signoff	Status
<a href="#">2643</a>	Non-Extensive	6	Rejected	✓		✓	Closed
<a href="#">2644</a>	Extensive	6.7	Other	✓		✓	Closed
<a href="#">2645</a>	Extensive	2.2.1	Accept as written	✓	✓	✓	Open
<a href="#">2646</a>	Extensive	6.8	Rejected	✓		✓	Closed
<a href="#">2647</a>	Non-Extensive		Rejected	✓		✓	Closed
<a href="#">2648</a>	Non-Extensive		Rejected	✓		✓	Closed
<a href="#">2649</a>	Extensive	2.2.3.8	Rejected - Redundant	✓		✓	Closed
<a href="#">2650</a>	Extensive		Rejected	✓		✓	Closed
<a href="#">2651</a>	Extensive	6.8	Carry Over	✓		✓	Closed
<a href="#">2652</a>	Extensive	A1C	Other	✓			Closed
<a href="#">2653</a>	Extensive	6.8.2.2	Rejected - Redundant	✓	✓		Closed
<a href="#">2654</a>	Non-Extensive		Rejected	✓		✓	Closed
<a href="#">2655</a>	Extensive	2.2.7.2.2.3.8	Rejected - Redundant	✓	✓		Closed
<a href="#">2656</a>	Extensive		Rejected	✓		✓	Closed
<a href="#">2657</a>	Extensive		Rejected - Redundant	✓		✓	Closed
<a href="#">2658</a>	Extensive	WPAT	Rejected	✓	✓	✓	Closed
<a href="#">2659</a>	Extensive	6.7	Rejected - Redundant	✓	✓		Closed
<a href="#">2660</a>	Extensive		Carry Over	✓		✓	Closed
<a href="#">2661</a>	Extensive		Rejected - Redundant	✓		✓	Closed
<a href="#">2662</a>	Extensive		Rejected	✓		✓	Closed
<a href="#">2663</a>	Extensive		Rejected - Redundant	✓		✓	Closed
<a href="#">2664</a>	Extensive		Rejected	✓		✓	Closed
<a href="#">2665</a>	Extensive	6.8	Carry Over	✓		✓	Closed
<a href="#">2666</a>	Extensive	6.8	Rejected	✓		✓	Closed
<a href="#">2667</a>	Extensive		Rejected	✓		✓	Closed
<a href="#">2668</a>	Extensive		Carry Over	✓	✓		Closed
<a href="#">2669</a>	Extensive		Rejected -	✓	✓		Closed

<u>2670</u>	Extensive		Redundant Rejected - Redundant	✓		✓	Closed
<u>2671</u>	Extensive		Rejected - Redundant	✓		✓	Closed
<u>2672</u>	Extensive		Carry Over	✓	✓		Closed
<u>2673</u>	Extensive		Rejected	✓		✓	Closed
<u>2674</u>	Extensive		Rejected	✓		✓	Closed
<u>2675</u>	Extensive		Rejected	✓		✓	Closed
<u>2676</u>	Extensive		Rejected	✓		✓	Closed
<u>2677</u>	Extensive	.20.1.3.1.4	Carry Over	✓		✓	Closed
<u>2678</u>	Extensive		Rejected	✓		✓	Closed
<u>2679</u>	Extensive	6.7.2.1.1	Rejected - Redundant	✓	✓		Closed
<u>2680</u>	Extensive	3.4.3	Carry Over	✓	✓	✓	Closed
<u>2681</u>	Extensive	3.4.3	Carry Over	✓	✓	✓	Closed
<u>2682</u>	Extensive	.20.4.7.3	Accept modified	✓		✓	Closed
<u>2683</u>	Extensive	3.4.3	Carry Over	✓	✓	✓	Closed
<u>2684</u>	Extensive	4.1.1	Carry Over	✓		✓	Closed
<u>2685</u>	Extensive	.20.1.3.1.3	Carry Over	✓	✓		Closed
<u>2686</u>	Extensive	Firmware	Rejected	✓	✓	✓	Closed
<u>2687</u>	Extensive	6.4.1	Rejected - Redundant	✓	✓		Closed
<u>2688</u>	Extensive	.20.1.4	Carry Over	✓		✓	Closed
<u>2689</u>	Extensive	.20.5.4.2	Carry Over	✓		✓	Closed
<u>2690</u>	Extensive	.20.5.4.2	Carry Over	✓		✓	Closed
<u>2691</u>	Extensive	A1C	Other	✓			Closed
<u>2692</u>	Extensive	.20.1.3.1.4	Rejected - Redundant	✓		✓	Closed
<u>2693</u>	Extensive	.20.2.6.5	Rejected - Redundant	✓		✓	Closed
<u>2694</u>	Extensive	.20.6.4.2	Rejected - Redundant	✓		✓	Closed
<u>2695</u>	Extensive	2.3.2	Carry Over	✓	✓		Closed
<u>2696</u>	Extensive	.20.3.3.1	Rejected	✓		✓	Closed
<u>2697</u>	Extensive	.20.6.6	Rejected - Redundant	✓		✓	Closed
<u>2698</u>	Extensive	.20.1.3.1	Rejected	✓		✓	Closed
<u>2699</u>	Extensive	.20.1.8.2.6	Carry Over	✓		✓	Closed
<u>2700</u>	Extensive		Rejected - Redundant	✓		✓	Closed
<u>2701</u>	Extensive	2.3.4.1	Carry Over	✓		✓	Closed
<u>2702</u>	Extensive	.20.1.7.2.2	Carry Over	✓		✓	Closed
<u>2703</u>	Extensive	.20.1.8.2.3	Carry Over	✓	✓		Closed
<u>2704</u>	Extensive	.20.4.5	Carry Over	✓	✓		Closed
<u>2705</u>	Extensive	.20.1.8.2.6	Carry Over	✓	✓		Closed
<u>2706</u>	Extensive	6.8	Rejected - Redundant	✓	✓		Closed
<u>2707</u>	Extensive	6.8.5.1.1	Rejected	✓	✓		Closed

<u>2708</u>	Extensive	6.8.4.7	Rejected	✓	✓		Closed
<u>2709</u>	Extensive	6.4.4.2	Carry Over	✓	✓		Closed
<u>2710</u>	Extensive	4.2.2	Carry Over	✓	✓	✓	Closed
<u>2711</u>	Extensive	.20.7	Carry Over	✓	✓		Closed
<u>2712</u>	Extensive	A2B	Carry Over	✓	✓		Closed
<u>2713</u>	Extensive	6.5.5	Carry Over	✓	✓		Closed
<u>2714</u>	Extensive	.20.2.1.3	Carry Over	✓	✓		Closed
<u>2715</u>	Extensive	2.4.3.3	Rejected	✓		✓	Closed
<u>2716</u>	Extensive	3.2.7.1	Carry Over	✓	✓		Closed
<u>2717</u>	Extensive		Carry Over	✓		✓	Closed
<u>2718</u>	Extensive	2.2.7	Accept modified	✓	✓		Closed
<u>2719</u>	Non-Extensive	A1C	Rejected	✓			Closed
<u>2720</u>	Extensive	A1C	Rejected	✓			Closed
<u>2721</u>	Extensive	4.2.4	Carry Over	✓		✓	Closed
<u>2738</u>	Extensive	6	Other	✓		✓	Closed



"Bobbie Brinegar"

11/10/2005 02:38 PM

To cpaquette@eac.gov  
cc  
bcc  
Subject RE: # of VVSG comments

Appreciate the information, Carol. Let me know if you need some help with data entry ;)

**From:** cpaquette@eac.gov [mailto:cpaquette@eac.gov]  
**Sent:** Thursday, November 10, 2005 2:32 PM  
**To:** [REDACTED]  
**Subject:** Re: # of VVSG comments

Bobbie -

We received in excess of 3000 comments by email and most of these in the final 2 days of the comment period. You do not see all these emails on the website as yet because they all have to be manually entered into the database. This is a very time consuming process when there are so many to handle. All comments received will be posted to the EAC website no later than mid-December. We have reviewed all these emails for content and they are being factored into the process of finalizing the VVSG for adoption by the Commission.

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov

"Bobbie Brinegar" <[REDACTED]>

11/10/2005 02:15 PM

To "Carol Paquette" <cpaquette@eac.gov>  
cc  
Subject # of VVSG comments

Hi Carol. I hope all is well with you. VV is interested in the number of comments on the proposed guidelines that the EAC received via email etc... Who would I ask? You probably haven't analyzed them yet, but we would like to know the gross number—clearly we can see the 1,000 plus up on the web. In the end, will all of the acceptable comments be posted on the EAC site? Thanks very much, Bobbie

Bobbie Ann Brinegar  
Senior Political Adviser  
[www.VerifiedVoting.org](http://www.VerifiedVoting.org)

018176

1725 19th St NW #B  
Washington, DC 20009

Phone: 202-441-8068  
Fax: 202-588-7087

018171



"Bobbie Brinegar"

11/10/2005 02:15 PM

To "Carol Paquette" <cpaquette@eac.gov>  
cc  
bcc  
Subject # of VVSG comments

Hi Carol. I hope all is well with you. VV is interested in the number of comments on the proposed guidelines that the EAC received via email etc... Who would I ask? You probably haven't analyzed them yet, but we would like to know the gross number—clearly we can see the 1,000 plus up on the web. In the end, will all of the acceptable comments be posted on the EAC site? Thanks very much, Bobbie

Bobbie Ann Brinegar  
Senior Political Adviser  
[www.VerifiedVoting.org](http://www.VerifiedVoting.org)  
1725 19th St NW #B  
Washington, DC 20009

Phone: 202-441-8068  
Fax: 202-588-7087

018172



"Cecilia Walsh"  
<cwalsh@berkeley.edu>  
12/01/2005 07:08 PM

To cpaquette@eac.gov  
cc  
bcc  
Subject posting of ACCURATE VVSG Comment

Ms. Paquette,  
Thank you very much for your voicemail today.

Could you please email me with instructions as to how to locate on the EAC website the posting the public Comment submitted on behalf of ACCURATE regarding the proposed 2205 VVSG?

Thanks and best regards,  
Cecilia Walsh  
Law Student Intern  
Samuelson Law, Technology & Public Policy Clinic, UC Berkeley

018173



"Cecilia Walsh"  
<cwalsh@berkeley.edu>  
11/10/2005 07:54 PM

To cpaquette@eac.gov, ebrand@scog-auth1.gsa.gov,  
cc [REDACTED]  
bcc  
Subject VVSG Comments

Dear Ms. Paquette,

We submitted a public comment on September 30, 2005 on the proposed 2005 Voluntary Voting System Guidelines (2005 VVSG) on behalf of ACCURATE (A Center for Correct, Usable, Reliable And Transparent Elections), an NSF-funded group conducting research directed toward increasing the trustworthiness of voting systems.

We would like to request an update on the EAC's review of the public comments received and the status of the 2005 VVSG.

Thank you very much for your help!

Best regards,  
Cecilia Walsh & Erica Brand  
Law Student Interns, Samuelson Law, Technology & Public Policy Clinic,  
UC Berkeley  
Joseph Hall  
School of Information Management & Systems, UC Berkeley

018174



08/23/2005 11:46 AM

To cpaquette@eac.gov  
cc mking@kennesaw.edu  
bcc  
Subject Re: Fw: VVSG comments

Carol,  
I checked the on-line comments and there were none from him.

Connor

----- Original message -----

I did see his email comments but he also asked about his comments submitted on-line. This is what I couldn't find.

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: choward  
Sent: 08/23/2005 11:21 AM  
To: Carol Paquette  
Cc: mking@kennesaw.edu  
Subject: Re: Fw: VVSG comments

Carol,

I found Fernando Morales' email. The subject is "VVSG Non-Compliant with HAVA". It contains a Word document as an attachment containing his comments.

Hope this helps,  
Connor

----- Original message -----

Connor -

Can you check this out? I reviewed all the comments in the database yesterday and didn't see one there from Morales - and I was specifically looking for messages from him. It's possible I just missed it. I did think it a bit odd that there were no new comments to approve for posting when I hadn't checked it for a week while on vacation. But, in general, the response has been very light compared to what NIST was receiving earlier in the process. Please advise. Thanks!

-----  
Sent from my BlackBerry Wireless Handheld

018175

----- Original Message -----

**From:** "Fernando Morales" [fermorales3@comcast.net]  
**Sent:** 08/23/2005 08:10 AM  
**To:** Carol Paquette  
**Cc:** juliet.thompson@eac.gov  
**Subject:** Re: VVSG comments

Ms. Paquette, thanks for your response, good morning:

I wonder if you can tell me why also my July 31, 2005 direct submission was not posted and why one day later the Jeff Donald direct submission was posted on August 1, 2005. Is the direct submission software sensitive to who file it? or blocked because contain key words in the argument?

Please advice,

Fernando Morales

----- Original Message -----

**From:** [cpaquette@eac.gov](mailto:cpaquette@eac.gov)  
**To:** [fermorales3@comcast.net](mailto:fermorales3@comcast.net)  
**Cc:** [juliet.thompson@eac.gov](mailto:juliet.thompson@eac.gov)  
**Sent:** Monday, August 22, 2005 1:28 PM  
**Subject:** VVSG comments

Mr. Morales -

We have received your comments, which you sent by email. We have just recently gotten a contract in place with Kennesaw University for assistance in managing and reviewing the VVSG comments. All the email comments have been forwarded to them to enter into the database that can be viewed from the website. We anticipate having all comments received by other means than direct website submission to be posted within the next week. Thank you for your patience.

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 [cpaquette@eac.gov](mailto:cpaquette@eac.gov)

018176



08/23/2005 11:21 AM

To cpaquette@eac.gov  
cc mking@kennesaw.edu  
bcc  
Subject Re: Fw: VVSG comments

Carol,

I found Fernando Morales' email. The subject is "VVSG Non-Compliant with HAVA". It contains a Word document as an attachment containing his comments.

Hope this helps,  
Connor

----- Original message -----

Connor -

Can you check this out? I reviewed all the comments in the database yesterday and didn't see one there from Morales - and I was specifically looking for messages from him. It's possible I just missed it. I did think it a bit odd that there were no new comments to approve for posting when I hadn't checked it for a week while on vacation. But, in general, the response has been very light compared to what NIST was receiving earlier in the process. Please advise. Thanks!

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: "Fernando Morales" [fermorales3@comcast.net]  
Sent: 08/23/2005 08:10 AM  
To: Carol Paquette  
Cc: juliet.thompson@eac.gov  
Subject: Re: VVSG comments

Ms. Paquette, thanks for your response, good morning:

I wonder if you can tell me why also my July 31, 2005 direct submission was not posted and why one day later the Jeff Donald direct submission was posted on August 1, 2005. Is the direct submission software sensitive to who file it? or blocked because contain key words in the argument?

Please advice,

Fernando Morales

01817

----- Original Message -----

**From:** [cpaquette@eac.gov](mailto:cpaquette@eac.gov)

**To:** [REDACTED]

**Cc:** [juliet.thompson@eac.gov](mailto:juliet.thompson@eac.gov)

**Sent:** Monday, August 22, 2005 1:28 PM

**Subject:** VVSG comments

Mr. Morales -

We have received your comments, which you sent by email. We have just recently gotten a contract in place with Kennesaw University for assistance in managing and reviewing the VVSG comments. All the email comments have been forwarded to them to enter into the database that can be viewed from the website. We anticipate having all comments received by other means than direct website submission to be posted within the next week. Thank you for your patience.

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 [cpaquette@eac.gov](mailto:cpaquette@eac.gov)

018178



"Connor Howard"  
<vhoward@kennesaw.edu>  
11/07/2005 11:47 AM

To cpaquette@eac.gov  
cc nmortellito@eac.gov, "Merle King" <mking@kennesaw.edu>  
bcc  
Subject Re: Fw: My org.'s comments on EAC Voluntary Voting  
SystemGuidelines have not been posted yet

Carol,

Tell him to sort by the name field and look for the name Eugene Lee.  
The comments were entered using this name.

Connor

>>> <cpaquette@eac.gov> 11/7/2005 9:31:21 AM >>>  
Not sure what this guy's problem is. I know his comments are there  
because  
we've reviewed and discussed many of them. Can someone suggest how he  
can  
find his comments? Thanks!

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov  
----- Forwarded by Carol A. Paquette/EAC/GOV on 11/07/2005 09:28 AM  
-----

Joyce Wilson/EAC/GOV  
11/07/2005 09:23 AM

To  
Carol A. Paquette/EAC/GOV@EAC  
cc

Subject  
Fw: My org.'s comments on EAC Voluntary Voting System Guidelines have  
not  
been posted yet

Carol, Please respond. Thanks!

Joyce H. Wilson  
Staff Assistant  
US Election Assistance Commission  
202-566-3100 (office)  
202-566-3128 (fax)

----- Forwarded by Joyce Wilson/EAC/GOV on 11/07/2005 09:23 AM -----

"Eugene Lee" <elee@apalc.org>  
11/06/2005 03:31 PM

To  
HAVAinfo@eac.gov

018179

cc

Subject  
My org.'s comments on EAC Voluntary Voting System Guidelines have not  
been  
posted yet

Dear EAC:

My organization's comments on the EAC voluntary voting system  
guidelines  
have not been posted on the EAC's website yet. I submitted the  
attached  
PDF  
file on September 29, 2005. The PDF file is not posted on the website.  
If  
the EAC could please post the PDF file, that would be much  
appreciated.

Please call me if there are any questions.

Thank you,  
Eugene Lee

Eugene Lee  
Staff Attorney, Voting Rights Project  
Asian Pacific American Legal Center  
1145 Wilshire Boulevard, Second Floor  
Los Angeles, CA 90017  
Phone: 213.977.7500 x 212  
Fax: 213.977.7595  
Email: elee@apalc.org  
Web: www.apalc.org

-----Original Message-----

From: Eugene Lee [mailto:elee@apalc.org]  
Sent: Thursday, September 29, 2005 6:50 PM  
To: votingsystemguidelines@eac.gov  
Cc: Terry Ao [tao@napalc.org]  
Subject: EAC Voluntary Voting System Guidelines -- NAPALC-APALC  
Comments  
9.29.05

Dear Commissioners:

On behalf of the National Asian Pacific American Legal Consortium  
(NAPALC)  
and the Asian Pacific American Legal Center of Southern California  
(APALC),  
I submit the joint comments of NAPALC and APALC on the proposed  
Voluntary  
Voting System Guidelines. The comments are attached to this email as a  
PDF

018180

file.

Yours truly,  
Eugene Lee

Eugene Lee  
Staff Attorney, Voting Rights Project  
Asian Pacific American Legal Center  
1145 Wilshire Boulevard, Second Floor  
Los Angeles, CA 90017  
Phone: 213.977.7500 x 212  
Fax: 213.977.7595  
Email: elee@apalc.org  
Web: www.apalc.org

cc: Terry M. Ao, Esq.

Attachment

018181



"Connor Howard"  
<vhoward@kennesaw.edu>  
10/19/2005 10:18 AM

To cpaquette@eac.gov  
cc "Merte King" <rmking@kennesaw.edu>,  
amp1985@students.kennesaw.edu  
bcc  
Subject Vendor comments

Carol,  
(This is a follow up to my message from last night. We have the Scytl  
comments - they were posted on 9/9/2005.)

Of the vendor comment documents that you emailed to me:

We already have Hart Intercivic, Populex, Sequoia and Scytl.  
We have Accupoll in a Hard copy format.  
We do not have ES&S.

Thanks,  
Connor

Connor Howard  
Project Manager  
Center for Election Systems  
Phone: 678-797-2993  
Email: vhoward@kennesaw.edu

018182



"Connor Howard"  
<vhoward@kennesaw.edu>  
10/18/2005 02:33 PM

To cpaquette@eac.gov  
cc "Merle King" <mking@kennesaw.edu>  
bcc  
Subject Re: Fw: EAC Voluntary Voting System Guidelines --  
NAPALC-APALCComments 9.29.05

Carol,

There is one earlier comment from Mr. Lee that was entered under the "general comments" classification on 9/19/2005 (reference number 729). However, to this point we have not seen these comments dated 9/29/2005. We will enter these immediately.

Thanks,  
Connor

>>> <cpaquette@eac.gov> 10/18/2005 12:02:38 PM >>>  
Connor -

Can you check on status of entering these comments? I spoke with this person on the phone last week and explained to him about the huge number of emails received and that the information from emails had to be hand=-posted to the website - a very time consuming task. But he's back

again. Thanks!

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov  
----- Forwarded by Carol A. Paquette/EAC/GOV on 10/18/2005 11:56 AM  
-----

Joyce Wilson/EAC/GOV  
10/18/2005 11:41 AM

To  
Carol A. Paquette/EAC/GOV@EAC  
cc

Subject  
Fw: EAC Voluntary Voting System Guidelines -- NAPALC-APALC Comments  
9.29.05

Carol, I'm sending this message from HAVAINFO mailbox to you first. Please forward if you are not the person to respond. Thanks!

Joyce H. Wilson  
Staff Assistant  
US Election Assistance Commission  
202-566-3100 (office)  
202-566-3128 (fax)

018183

----- Forwarded by Joyce Wilson/EAC/GOV on 10/18/2005 11:41 AM -----

"Eugene Lee" <elee@apalc.org>  
10/10/2005 12:53 PM

To  
HAVAinfo@eac.gov  
cc

Subject  
FW: EAC Voluntary Voting System Guidelines -- NAPALC-APALC Comments  
9.29.05

Dear EAC:

On Sept. 29, APALC and NAPALC submitted joint comments on the EAC's proposed voluntary voting system guidelines. I am forwarding the email transmitting these comments. I do not see the comments posted on the EAC's website. Would someone at the EAC be able to check on whether these comments were posted and let me know when the comments have been posted?

Thanks very much,  
Eugene Lee

Eugene Lee  
Staff Attorney, Voting Rights Project  
Asian Pacific American Legal Center  
1145 Wilshire Boulevard, Second Floor  
Los Angeles, CA 90017  
Phone: 213.977.7500 x 212  
Fax: 213.977.7595  
Email: elee@apalc.org  
Web: www.apalc.org

-----Original Message-----

From: Eugene Lee [mailto:elee@apalc.org]  
Sent: Thursday, September 29, 2005 6:50 PM  
To: votingsystemguidelines@eac.gov  
Cc: Terry Ao [tao@napalc.org]  
Subject: EAC Voluntary Voting System Guidelines -- NAPALC-APALC  
Comments  
9.29.05

Dear Commissioners:

On behalf of the National Asian Pacific American Legal Consortium  
(NAPALC)

018184

and the Asian Pacific American Legal Center of Southern California  
(APALC),  
I submit the joint comments of NAPALC and APALC on the proposed  
Voluntary  
Voting System Guidelines. The comments are attached to this email as a

PDF  
file.

Yours truly,  
Eugene Lee

Eugene Lee  
Staff Attorney, Voting Rights Project  
Asian Pacific American Legal Center  
1145 Wilshire Boulevard, Second Floor  
Los Angeles, CA 90017  
Phone: 213.977.7500 x 212  
Fax: 213.977.7595  
Email: elee@apalc.org  
Web: www.apalc.org

cc: Terry M. Ao, Esq.

Attachment

018185



"Connor Howard"  
<vhoward@kennesaw.edu>  
10/04/2005 03:19 PM

To cpaquette@eac.gov  
cc "Merle King" <mking@kennesaw.edu>  
bcc  
Subject Re: Fw: Comments posting problem

Carol,

I have attached the proposed updated message for the web site. The updated text is in bold. I will call in a few minutes to get your feedback.

Thanks,  
Connor

>>> <cpaquette@eac.gov> 10/4/2005 1:23:44 PM >>>  
Merle, Connor -

The Commissioners decided today that they want you to "turn off" the capability for people to continue sending in comments. Please draft a message to the effect that the comment period ended on September 30 and no

comments will be accepted after that date. Also need to say that comments received by that date will be available for public review while the Commission is considering what revisions might be made to the VVSG. For

the period while you're working on getting all the email, etc., comments

posted, might be useful to mention that due to volume of comments received

in the last days of the comment period people might not see their comments

posted for a few days. Make sure that the couple of emails after 9/30 that

I sent by mistake yesterday are not available for viewing. At that time,

you can replace this statement with one that says that all comments are

posted. We will still have to capture all the comments received after the

deadline, they just won't be approved for public view. I'll hold off forwarding any more of the email comments received after the 30th until

you tell me that all the timely comments have been entered. We will also

be shutting down the VVSG email address. Would like to review message text

before it's posted. Thanks!

Carol A. Paquette  
U.S. Election Assistance Commission  
(202) 566-3125 cpaquette@eac.gov

018186

"Merle King" <mking@kennesaw.edu>  
10/04/2005 10:10 AM

To  
cpaquette@eac.gov  
cc  
"Connor Howard" <vhoward@kennesaw.edu>  
Subject  
Re: Fw: Comments posting problem

Carol - There is a 2000-character limit on inputting text directly into the comments field. What some folks have done is to enter an overview of their comments, then attach a document that contains the entire text.

Our observation has been that people who want to input more than 2000 characters are entering either a) aggregated comments and do not want to invest the time to split them out into individual comments or b) prepared marketing pieces or position papers that wander off topic.

If this person submitted their comments as an attached document, we will place it in the queue for decomposition.

- Merle

Merle S. King  
<http://science.kennesaw.edu/csis>  
Chair, CSIS Department  
Kennesaw State University  
1000 Chastain Road, MB #1101  
Kennesaw, GA 30144-5591  
voice: 770-423-6354; fax: 770-423-6731

>>> <cpaquette@eac.gov> 10/4/2005 9:37:59 AM >>>  
I didn't think there was a size limitation on comments?

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov  
----- Forwarded by Carol A. Paquette/EAC/GOV on 10/04/2005 09:36 AM  
-----

"AlKolwicz" [REDACTED]  
10/04/2005 08:16 AM

To  
votingsystemguidelines@eac.gov  
cc

018187

Subject  
Comments posting problem

There appears to be a problem with the posting to the database of my comment caused by the fact that my comment is greater than 2000 characters. As you can see, my comment is incomplete \* see "GENERAL COMMENTS, Al Kolwicz, three items".

I have attached a folder containing 6 word files, each sized to fit the 2000 character limit.

Will you please correct the recent attempt to record my comment in the database by replacing the three files with the attached six files? As you

can see, the sequence of the files is significant.

Thank you for your assistance.

Al Kolwicz

CAMBER  
Citizens for Accurate Mail Ballot Election Results  
2867 Tincup Circle  
Boulder, CO 80305  
303-494-1540

 t  
[www.users.qwest.net/~alkolwicz](http://www.users.qwest.net/~alkolwicz)  
<http://coloradovoter.blogspot.com>

CAMBER is a dedicated group of volunteers who are working to ensure that every voter gets to vote once, every vote is counted once, and that every ballot is secure and anonymous.



CommentPeriodClosed-Message.doc

018188

The Voluntary Voting System Guidelines were developed under the Help America Vote Act of 2002 (HAVA) Section 202 mandate that the U.S. Election Assistance Commission (EAC) update the 2002 Voting System Standards to address increasingly complex voting system technology. They were designed for state and local election officials to help ensure that new voting systems function accurately and reliably.

The Guidelines are provided for a 90 day public comment period which officially began June 29, 2005 upon notice in the Federal Register. All comments must be received by EAC on or before 5:00 p.m. EDT on September 30, 2005. All comments will be posted on the EAC website. Comments may also be sent to [votingsystemguidelines@eac.gov](mailto:votingsystemguidelines@eac.gov) or by fax to Voting System Guidelines Comments at (202) 566-3127. Comments may also be mailed to Voting System Guidelines Comments, U.S. Election Assistance Commission, 1225 New York Ave., NW, Suite 1100, Washington, D.C. 20005.

The Guidelines are also available in hard copy format or on CD-ROM. Call EAC at (866) 747-1471 or (202) 566-3100 to request a copy or for more information.

At the conclusion of the public comment period and after the consideration of comments received, EAC commissioners will vote to approve the Voluntary Voting System Guidelines. The final version will be made available to the public at that time.

**The public comment period is now closed. No comments will be accepted after September 30, 2005. Comments received by that date will be available for public review while the Election Assistance Commission considers revisions to the Voluntary Voting System Guidelines.**

**Due to the volume of comments received in the closing days of the public comment period, it may be several days before all comments received can be posted for viewing.**



"Connor Howard"  
<vhoward@kennesaw.edu>  
09/19/2005 04:10 PM

To cpaquette@eac.gov  
cc "Merle King" <mking@kennesaw.edu>  
bcc  
Subject Email from Eugene Lee - Asian Pacific American Legal  
Center

Carol,

Merle wanted me to make you aware of this email comment that we received. It has been posted to our database.

Thanks,

Connor Howard  
Project Manager  
Center for Election Systems  
Phone: 678-797-2993  
Email: vhoward@kennesaw.edu

Name : Eugene Lee  
Organization : Asian Pacific American Legal Center  
Email Address : elee@apalc.org  
Post Date : 9/19/2005

At the bottom of page 2 under the heading "2.2.7.2 Limited English Proficiency," there appears to be some language missing after the sentence, "HAVA Section 301(a)(4) reads in part:"

We respectfully request the EAC make this language available before the September 30, 2005 deadline for submitting comments to the proposed Voluntary Voting System Guidelines.

018190

Joyce Wilson/EAC/GOV  
12/06/2005 09:20 AM

To Carol A. Paquette/EAC/GOV@EAC  
cc  
bcc  
Subject Fw: Our comments not yet posted

Please respond. Thanks!

Joyce H. Wilson  
Staff Assistant  
US Election Assistance Commission  
202-566-3100 (office)  
202-566-3128 (fax)

----- Forwarded by Joyce Wilson/EAC/GOV on 12/06/2005 09:20 AM -----



"Matt Bishop"  
<bishop@cs.ucdavis.edu>  
12/05/2005 01:13 PM

To HAVAINfo@eac.gov  
cc  
Subject Our comments not yet posted

Please respond to  
"Matt Bishop"  
<bishop@cs.ucdavis.edu>

Hello,

My name is Matt Bishop. I'm a professor in the Department of Computer Science at the University of California, Davis.

My students and I submitted an extensive set of comments on the proposed standards for electronic voting systems. We submitted it on Sept. 28.

As of now, it is not posted on the comments web site. I know your page says it may be some time until comments were posted. I had called in mid-October and was asked to be patient, but that if it was not posted I could get them to you again (just in case they were lost).

So, my question is: have you posted all the comments you received? If so, can you please post ours? I am attaching them (just in case). If not, do you have a date when you expect to finish?

I look forward to hearing from you!

Sincerely,

Matt Bishop



our-comments.pdf

018191

Joyce Wilson/EAC/GOV  
11/07/2005 09:23 AM

To Carol A. Paquette/EAC/GOV@EAC  
cc  
bcc  
Subject Fw: My org.'s comments on EAC Voluntary Voting System  
Guidelines have not been posted yet

Carol, Please respond. Thanks!

Joyce H. Wilson  
Staff Assistant  
US Election Assistance Commission  
202-566-3100 (office)  
202-566-3128 (fax)

----- Forwarded by Joyce Wilson/EAC/GOV on 11/07/2005 09:23 AM -----



"Eugene Lee"  
<elee@apalc.org>  
11/06/2005 03:31 PM

To HAVAINfo@eac.gov  
cc  
Subject My org.'s comments on EAC Voluntary Voting System  
Guidelines have not been posted yet

Dear EAC:

My organization's comments on the EAC voluntary voting system guidelines have not been posted on the EAC's website yet. I submitted the attached PDF file on September 29, 2005. The PDF file is not posted on the website. If the EAC could please post the PDF file, that would be much appreciated.

Please call me if there are any questions.

Thank you,  
Eugene Lee

Eugene Lee  
Staff Attorney, Voting Rights Project  
Asian Pacific American Legal Center  
1145 Wilshire Boulevard, Second Floor  
Los Angeles, CA 90017  
Phone: 213.977.7500 x 212  
Fax: 213.977.7595  
Email: elee@apalc.org  
Web: www.apalc.org

-----Original Message-----

From: Eugene Lee [mailto:elee@apalc.org]  
Sent: Thursday, September 29, 2005 6:50 PM  
To: votingsystemguidelines@eac.gov  
Cc: Terry Ao [tao@napalc.org]  
Subject: EAC Voluntary Voting System Guidelines -- NAPALC-APALC Comments  
9.29.05

018192

Dear Commissioners:

On behalf of the National Asian Pacific American Legal Consortium (NAPALC) and the Asian Pacific American Legal Center of Southern California (APALC), I submit the joint comments of NAPALC and APALC on the proposed Voluntary Voting System Guidelines. The comments are attached to this email as a PDF file.

Yours truly,  
Eugene Lee

Eugene Lee  
Staff Attorney, Voting Rights Project  
Asian Pacific American Legal Center  
1145 Wilshire Boulevard, Second Floor  
Los Angeles, CA 90017  
Phone: 213.977.7500 x 212  
Fax: 213.977.7595  
Email: elee@apalc.org  
Web: www.apalc.org

cc: Terry M. Ao, Esq.

Attachment



NAPALC-APALC Comments on EAC Voluntary Voting System Guidelines 9.29.05.pdf

018193



"Merle King"  
<mking@kennesaw.edu>  
08/23/2005 10:30 AM

To choward@comcast.net, cpaquette@eac.gov  
cc "Anthony Peel" <apeel@kennesaw.edu>, "Merle King"  
<mking@kennesaw.edu>  
bcc  
Subject Re: Fw: VVSG comments

Carol - I have just walked through the posting of comments and confirmed with my guys at KSU that they are posting. I did see one potential problem with the directions... At the end of the input screen, it instructs the user to save their comments...but does not warn the user that unless they click on submit in the subsequent page, it will not upload them for posting. Could this be what happened with Morales?

Let me know if you want an additional instruction added to that line. Something like, "After saving all your comments, you must click on Submit on the following page to post your Comment."

- Merle

Merle S. King  
<http://science.kennesaw.edu/csis>  
Chair, CSIS Department  
Kennesaw State University  
1000 Chastain Road, MB #1101  
Kennesaw, GA 30144-5591  
voice: 770-423-6354; fax: 770-423-6731

>>> <cpaquette@eac.gov> 08/23/05 9:21 AM >>>  
Connor -

Can you check this out? I reviewed all the comments in the database yesterday and didn't see one there from Morales - and I was specifically looking for messages from him. It's possible I just missed it. I did think it a bit odd that there were no new comments to approve for posting when I hadn't checked it for a week while on vacation. But, in general, the response has been very light compared to what NIST was receiving earlier in the process. Please advise. Thanks!

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----  
From: "Fernando Morales" [fermorales3@comcast.net]  
Sent: 08/23/2005 08:10 AM  
To: cpaquette@eac.gov  
Cc: juliet.thompson@eac.gov  
Subject: Re: VVSG comments

Ms. Paquette, thanks for your response, good morning:

I wonder if you can tell me why also my July 31, 2005 direct submission was not posted and why one day later the Jeff Donald direct submission was posted on August 1, 2005. Is the direct submission software sensitive to who file it? or blocked because contain key words in the argument?

018194

Please advice,

Fernando Morales

----- Original Message -----

From: cpaquette@eac.gov

To: ~~XXXXXXXXXXXXXXXXXXXX~~

Cc: juliet.thompson@eac.gov

Sent: Monday, August 22, 2005 1:28 PM

Subject: VVSG comments

Mr. Morales -

We have received your comments, which you sent by email. We have just recently gotten a contract in place with Kennesaw University for assistance in managing and reviewing the VVSG comments. All the email comments have been forwarded to them to enter into the database that can be viewed from the website. We anticipate having all comments received by other means than direct website submission to be posted within the next week. Thank you for your patience.

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov

018195



"Merle King"  
<mking@kennesaw.edu>  
08/23/2005 11:44 AM

To choward@comcast.net, cpaquette@eac.gov, "Merle King"  
<mking@kennesaw.edu>  
cc "Anthony Peel" <a Peel@kennesaw.edu>  
bcc  
Subject Re: Fw: VVSG comments

Anthony - Could you mock up the added instruction and send to all as an html file so that we can get Carol's approval of the draft before going live?

Thanks,

Merle

Merle S. King  
<http://science.kennesaw.edu/csis>  
Chair, CSIS Department  
Kennesaw State University  
1000 Chastain Road, MB #1101  
Kennesaw, GA 30144-5591  
voice: 770-423-6354; fax: 770-423-6731

>>> <cpaquette@eac.gov> 08/23/05 11:37 AM >>>

Yes, we need to add that line so people know exactly what they need to do. We don't want to assume that commenters will be knowledgeable about how to submit comments to a web application. Instructions should be precise, complete and very clear (hanks!

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: "Merle King" [mking@kennesaw.edu]  
Sent: 08/23/2005 10:30 AM  
To: choward@comcast.net; cpaquette@eac.gov  
Cc: "Anthony Peel" <a Peel@kennesaw.edu>; "Merle King" <mking@kennesaw.edu>  
Subject: Re: Fw: VVSG comments

Carol - I have just walked through the posting of comments and confirmed with my guys at KSU that they are posting. I did see one potential problem with the directions... At the end of the input screen, it instructs the user to save their comments...but does not warn the user that unless they click on submit in the subsequent page, it will not upload them for posting. Could this be what happened with Morales?

Let me know if you want an additional instruction added to that line. Something like, "After saving all your comments, you must click on Submit on the following page to post your Comment."

- Merle

Merle S. King  
<http://science.kennesaw.edu/csis>  
Chair, CSIS Department  
Kennesaw State University

018196

1000 Chastain Road, MB #1101  
Kennesaw, GA 30144-5591  
voice: 770-423-6354; fax: 770-423-6731

>>> <cpaquette@eac.gov> 08/23/05 9:21 AM >>>  
Connor -

Can you check this out? I reviewed all the comments in the database yesterday and didn't see one there from Morales - and I was specifically looking for messages from him. It's possible I just missed it. I did think it a bit odd that there were no new comments to approve for posting when I hadn't checked it for a week while on vacation. But, in general, the response has been very light compared to what NIST was receiving earlier in the process. Please advise. Thanks!

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Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: "Fernando Morales" [REDACTED]  
Sent: 08/23/2005 08:10 AM  
To: cpaquette@eac.gov  
Cc: juliet.thompson@eac.gov  
Subject: Re: VVSG comments

Ms. Paquette, thanks for your response, good morning:

I wonder if you can tell me why also my July 31, 2005 direct submission was not posted and why one day later the Jeff Donald direct submission was posted on August 1, 2005. Is the direct submission software sensitive to who file it? or blocked because contain key words in the argument?

Please advice,

Fernando Morales

----- Original Message -----

From: cpaquette@eac.gov  
[REDACTED]  
Cc: juliet.thompson@eac.gov  
Sent: Monday, August 22, 2005 1:28 PM  
Subject: VVSG comments

Mr. Morales -

We have received your comments, which you sent by email. We have just recently gotten a contract in place with Kennesaw University for assistance in managing and reviewing the VVSG comments. All the email comments have been forwarded to them to enter into the database that can be viewed from the website. We anticipate having all comments received by other means than direct website submission to be posted within the next week. Thank you for your patience.

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov

01819

Carol A. Paquette/EAC/GOV  
12/12/2005 06:16 PM

To mkong@kennesaw.edu, vhoward@kennesaw.edu  
cc Jeannie Layson/EAC/GOV@EAC, bwhitener@eac.gov@EAC,  
Nicole Mortellito/CONTRACTOR/EAC/GOV@EAC  
bcc  
Subject Fw: VVSG web changes

Merle, Connor -

We would like to have the following changes made to VVSG webpage, ready to post early afternoon tomorrow - after Commissioners have taken a vote. You can coordinate with Jeannie Layson or Bryan Whitener if there are any questions or clarifications needed. Thanks!

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov  
--- Forwarded by Carol A. Paquette/EAC/GOV on 12/12/2005 06:13 PM ----

Bryan Whitener/EAC/GOV  
12/12/2005 04:23 PM

To Carol A. Paquette/EAC/GOV@EAC  
cc Jeannie Layson/EAC/GOV@EAC  
Subject VVSG web changes

## #1

( Changes to words on the home page box; move center column box to the top )

### OLD

View the Proposed Voluntary Voting System Guidelines  
Deadline for Comments is Sept 30

### NEW

EAC Votes to Adopt 2005 Voluntary Voting System Guidelines

#####

## #2

( Words to insert before introduction on VVSG page )

On December 13, 2005 the U.S. Election Assistance Commission voted to adopt the 2005 Voluntary Voting System Guidelines. The final version of this document will soon be posted. Until that time, the Proposed Voluntary Voting System Guidelines remains available for viewing.

## #3

Links to three items will be added

- Press Release
- Overview
- Overview of Volume I

018198

Carol A. Paquette/EAC/GOV  
12/12/2005 08:16 PM

To Thomas R. Wilkey/EAC/GOV@EAC  
cc Bert A. Benavides/EAC/GOV@EAC, Jeannie  
Layson/EAC/GOV@EAC, juliet.thompson@eac.gov@EAC, Nicole  
Mortellito/CONTRACTOR/EAC/GOV@EAC  
bcc  
Subject talking points to introduce tomorrow's VVSG discussion

Tom -

Here are some remarks for your consideration. There's no pride of authorship or fine wording here - just trying to get a few thoughts down that you might find helpful. Have left a copy of the 4 bar graphs summarizing the numbers of comments by sections of the VVSG on your chair.

1. Total number of comments received: 5670
2. We appreciate all the effort the general public, election officials, advocacy groups, academia, test labs, and vendors put into reviewing the VVSG and providing their comments. We have read and considered every comment received.
3. We were unable to deal with many of the more complex comments which relate to on-going TGDC and NIST activities for the next iteration of the VVSG. These comments will be carried over into that longer term effort.
4. Many comments dealt with procedural and election management concerns and these will be forwarded for consideration by the EAC/NSED Management Guidelines Working Group that recently got underway.
5. EAC established 3 comment review groups comprised of EAC and NIST staff: Core Requirements, Human Factors, and Security. Other NIST personnel and subject matter experts were consulted as needed on specific topics.
6. Comment review groups prepared issue papers and recommendations for consideration and policy guidance from the Commissioners. There have been extensive, in-depth Commission discussions of the VVSG - beginning in early November and continuing through last Friday afternoon. For the past few weeks nearly half of the Commission has been engaged in this effort!
7. There has been a great deal of effort on the part of many dedicated people to reach this milestone - beginning in July 2004 with NIST and the TGDC. They have continued their work for the next iteration of the VVSG, which we envision will be an on-going process to keep up with evolving technology and public expectations.

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov

018199



choward@comcast.net  
08/23/2005 10:20 AM

To cpaquette@eac.gov  
cc  
bcc  
Subject Re: Fw: VVSG comments

Carol,

I will take a look and see if I can find his message. I'll let you know as soon as I finish going through them all.

Connor

----- Original message -----

Connor -

Can you check this out? I reviewed all the comments in the database yesterday and didn't see one there from Morales - and I was specifically looking for messages from him. It's possible I just missed it. I did think it a bit odd that there were no new comments to approve for posting when I hadn't checked it for a week while on vacation. But, in general, the response has been very light compared to what NIST was receiving earlier in the process. Please advise. Thanks!

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: "Fernando Morales" [fermorales3@comcast.net]  
Sent: 08/23/2005 08:10 AM  
To: Carol Paquette  
Cc: juliet.thompson@eac.gov  
Subject: Re: VVSG comments

Ms. Paquette, thanks for your response, good morning:

I wonder if you can tell me why also my July 31, 2005 direct submission was not posted and why one day later the Jeff Donald direct submission was posted on August 1, 2005. Is the direct submission software sensitive to who file it? or blocked because contain key words in the argument?

Please advice,

Fernando Morales

----- Original Message -----

From: [cpaquette@eac.gov](mailto:cpaquette@eac.gov)  
To: [fermorales3@comcast.net](mailto:fermorales3@comcast.net)

018200

**Cc:** [juliet.thompson@eac.gov](mailto:juliet.thompson@eac.gov)

**Sent:** Monday, August 22, 2005 1:28 PM

**Subject:** VVSG comments

Mr. Morales -

We have received your comments, which you sent by email. We have just recently gotten a contract in place with Kennesaw University for assistance in managing and reviewing the VVSG comments. All the email comments have been forwarded to them to enter into the database that can be viewed from the website. We anticipate having all comments received by other means than direct website submission to be posted within the next week. Thank you for your patience.

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 [cpaquette@eac.gov](mailto:cpaquette@eac.gov)

018201



"Anthony Peel"  
 <aapeel@kennesaw.edu>  
 08/23/2005 12:24 PM

To choward@comcast.net, cpaquette@eac.gov, "Merle King"  
 <mking@kennesaw.edu>  
 cc "Ken Honea" <khonea@kennesaw.edu>  
 bcc

Subject Re: Fw: VVSG comments

Attached are some jpg screen shots with the added language. Let me know what you think and if any additional language needs to be added.

The following is the text that was added:  
 "Once you have saved your comments click END SESSION to be taken to the review screen. From there you will have to click SUBMIT COMMENTS for your comments to be recorded. "

Thanks  
 Anthony Peel

Anthony Peel  
 Senior Project Coordinator, Center for Election Systems  
 Computer Science & Information Systems Department  
 Kennesaw State University  
 1000 Chastain Road, MB #5700  
 Kennesaw, GA 30144-5591  
 voice: 770-423-6900; fax: 770-423-6905  
<http://elections.kennesaw.edu/>

=====  
 This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message immediately and are hereby notified that any disclosure, copying or distribution of this message, or the taking of any action based on it, is strictly prohibited.  
 =====

>>> Merle King 8/23/2005 11:44:57 AM >>>  
 Anthony - Could you mock up the added instruction and send to all as an html file so that we can get Carol's approval of the draft before going live?

Thanks,

Merle

Merle S. King  
<http://science.kennesaw.edu/csis>  
 Chair, CSIS Department  
 Kennesaw State University  
 1000 Chastain Road, MB #1101  
 Kennesaw, GA 30144-5591  
 voice: 770-423-6354; fax: 770-423-6731

>>> <cpaquette@eac.gov> 08/23/05 11:37 AM >>>  
 Yes, we need to add that line so people know exactly what they need to do. We don't want to assume that commenters will be knowledgeable about how to submit comments to a web application. Instructions should be precise, complete and very clear (hanks!

-----

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: "Merle King" [mking@kennesaw.edu]  
Sent: 08/23/2005 10:30 AM  
To: choward@comcast.net; cpaquette@eac.gov  
Cc: "Anthony Peel" <apeek@kennesaw.edu>; "Merle King"  
<mking@kennesaw.edu>  
Subject: Re: Fw: VVSG comments

Carol - I have just walked through the posting of comments and confirmed with my guys at KSU that they are posting. I did see one potential problem with the directions... At the end of the input screen, it instructs the user to save their comments...but does not warn the user that unless they click on submit in the subsequent page, it will not upload them for posting. Could this be what happened with Morales?

Let me know if you want an additional instruction added to that line. Something like, "After saving all your comments, you must click on Submit on the following page to post your Comment."

- Merle

Merle S. King  
<http://science.kennesaw.edu/csis>  
Chair, CSIS Department  
Kennesaw State University  
1000 Chastain Road, MB #1101  
Kennesaw, GA 30144-5591  
voice: 770-423-6354; fax: 770-423-6731

>>> <cpaquette@eac.gov> 08/23/05 9:21 AM >>>  
Connor -

Can you check this out? I reviewed all the comments in the database yesterday and didn't see one there from Morales - and I was specifically looking for messages from him. It's possible I just missed it. I did think it a bit odd that there were no new comments to approve for posting when I hadn't checked it for a week while on vacation. But, in general, the response has been very light compared to what NIST was receiving earlier in the process. Please advise. Thanks!

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: "Fernando Morales" [redacted]  
Sent: 08/23/2005 08:10 AM  
To: cpaquette@eac.gov  
Cc: juliet.thompson@eac.gov  
Subject: Re: VVSG comments

Ms. Paquette, thanks for your response, good morning:

I wonder if you can tell me why also my July 31, 2005 direct

018203

submission  
was not posted and why one day later the Jeff Donald direct submission  
was posted on August 1, 2005. Is the direct submission software  
sensitive to who file it? or blocked because contain key words in the  
argument?

Please advice,

Fernando Morales

----- Original Message -----

From: cpaquette@eac.gov

To: [REDACTED]

Cc: juliet.thompson@eac.gov

Sent: Monday, August 22, 2005 1:28 PM

Subject: VVSG comments

Mr. Morales -

We have received your comments, which you sent by email. We have  
just recently gotten a contract in place with Kennesaw University for  
assistance in managing and reviewing the VVSG comments. All the email  
comments have been forwarded to them to enter into the database that  
can be viewed from the website. We anticipate having all comments received  
by other means than direct website submission to be posted within the  
next week. Thank you for your patience.

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov



preview.jpg



sectionform.jpg



generalform.jpg



glossaryform.jpg

018204



"Merle King"  
<mking@kennesaw.edu>  
10/04/2005 10:10 AM

To cpaquette@eac.gov  
cc "Connor Howard" <vhoward@kennesaw.edu>  
bcc  
Subject Re: Fw: Comments posting problem

Carol - There is a 2000-character limit on inputting text directly into the comments field. What some folks have done is to enter an overview of their comments, then attach a document that contains the entire text.

Our observation has been that people who want to input more than 2000 characters are entering either a) aggregated comments and do not want to invest the time to split them out into individual comments or b) prepared marketing pieces or position papers that wander off topic.

If this person submitted their comments as an attached document, we will place it in the queue for decomposition.

- Merle

Merle S. King  
<http://science.kennesaw.edu/csis>  
Chair, CSIS Department  
Kennesaw State University  
1000 Chastain Road, MB #1101  
Kennesaw, GA 30144-5591  
voice: 770-423-6354; fax: 770-423-6731

>>> <cpaquette@eac.gov> 10/4/2005 9:37:59 AM >>>  
I didn't think there was a size limitation on comments?

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov  
----- Forwarded by Carol A. Paquette/EAC/GOV on 10/04/2005 09:36 AM -----

"AlKolwicz" <alkolwicz@qwest.net>  
10/04/2005 08:16 AM

To  
votingsystemguidelines@eac.gov  
cc

Subject  
Comments posting problem

There appears to be a problem with the posting to the database of my comment caused by the fact that my comment is greater than 2000 characters. As you can see, my comment is incomplete \* see "GENERAL COMMENTS, Al Kolwicz, three items".

I have attached a folder containing 6 word files, each sized to fit the

018205

2000 character limit.

Will you please correct the recent attempt to record my comment in the database by replacing the three files with the attached six files? As you can see, the sequence of the files is significant.

Thank you for your assistance.

Al Kolwicz

CAMBER  
Citizens for Accurate Mail Ballot Election Results  
2867 Tincup Circle  
Boulder, CO 80305  
303-494-1540

~~XXXXXXXXXXXXXXXXXXXX~~@et  
~~XXXXXXXXXXXXXXXXXXXX~~/~alkolwicz  
<http://coloradovoter.blogspot.com>

CAMBER is a dedicated group of volunteers who are working to ensure that every voter gets to vote once, every vote is counted once, and that every ballot is secure and anonymous.

018206

Carol A. Paquette/EAC/GOV  
12/06/2005 06:03 PM

To jwilson@eac.gov@EAC  
cc  
bcc  
Subject Re: Fw: Our comments not yet posted

Joyce -

Will do. Thanks!

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov  
Joyce Wilson/EAC/GOV

Joyce Wilson/EAC/GOV  
12/06/2005 09:20 AM

To Carol A. Paquette/EAC/GOV@EAC  
cc  
Subject Fw: Our comments not yet posted

Please respond. Thanks!

Joyce H. Wilson  
Staff Assistant  
US Election Assistance Commission  
202-566-3100 (office)  
202-566-3128 (fax)

----- Forwarded by Joyce Wilson/EAC/GOV on 12/06/2005 09:20 AM -----



"Matt Bishop"  
<bishop@cs.ucdavis.edu>

12/05/2005 01:13 PM

Please respond to  
"Matt Bishop"  
<bishop@cs.ucdavis.edu>

To HAVAINfo@eac.gov  
cc  
Subject Our comments not yet posted

Hello,

My name is Matt Bishop. I'm a professor in the Department of Computer Science at the University of California, Davis.

My students and I submitted an extensive set of comments on the proposed standards for electronic voting systems. We submitted it on Sept. 28.

As of now, it is not posted on the comments web site. I know your page says it may be some time until comments were posted. I had called in mid-October and was asked to be patient, but that if it was not posted I could get them to you again (just in case they were lost).

So, my question is: have you posted all the comments you received? If so, can you please post ours? I am attaching them (just in case). If not, do you have a date when you expect to finish?

I look forward to hearing from you!

Sincerely,

Matt Bishop



our-comments.pdf

Carol A. Paquette/EAC/GOV  
10/27/2005 04:21 PM

To Joyce Wilson/EAC/GOV  
cc  
bcc  
Subject Re: Fw: Election Reform

Joyce -

This is just a general comment, not pertaining to the Guidelines document. Suggest you forward this one to Jeannie.

If you do receive comments on the Voting Ssystem Guidelines, you can forward them to me. We may eventually decide to toss these, but in the meantime we're keeping a file of comments received after the September 30 deadline. Thanks!

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov  
Joyce Wilson/EAC/GOV

Joyce Wilson/EAC/GOV  
10/27/2005 11:09 AM

To Carol A. Paquette/EAC/GOV@EAC  
cc  
Subject Fw: Election Reform

Carol, Below is a public comment. What do you want me to do with any comments I get in the future?

Joyce H. Wilson  
Staff Assistant  
US Election Assistance Commission  
202-566-3100 (office)  
202-566-3128 (fax)

----- Forwarded by Joyce Wilson/EAC/GOV on 10/27/2005 11:09 AM -----



"Robert Rutkowski"  
> [REDACTED]  
10/25/2005 12:26 PM

To HAVAINfo@eac.gov  
cc comments@whitehouse.gov  
Subject Election Reform

Gracia M. Hillman  
Chair  
United States Election Assistance Commission  
1225 New York Avenue N.W., Suite - 1100  
Washington, DC 20005  
Telephone: (202) 566-3100  
Toll Free: (866) 747-1471  
Fax: (202) 566-3127



Carol A. Paquette/EAC/GOV  
10/18/2005 11:56 AM

To Joyce Wilson/EAC/GOV  
cc  
bcc  
Subject Re: Fw: EAC Voluntary Voting System Guidelines --  
NAPALC-APALC Comments 9.29.05

Joyce -

I'll handle this one. Thanks!

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov  
Joyce Wilson/EAC/GOV

Joyce Wilson/EAC/GOV  
10/18/2005 11:41 AM

To Carol A. Paquette/EAC/GOV@EAC  
cc  
Subject Fw: EAC Voluntary Voting System Guidelines --  
NAPALC-APALC Comments 9.29.05

Carol, I'm sending this message from HAVAinfo mailbox to you first. Please forward if you are not the person to respond. Thanks!

Joyce H. Wilson  
Staff Assistant  
US Election Assistance Commission  
202-566-3100 (office)  
202-566-3128 (fax)

----- Forwarded by Joyce Wilson/EAC/GOV on 10/18/2005 11:41 AM -----



"Eugene Lee"  
<elee@apalc.org>  
10/10/2005 12:53 PM

To HAVAinfo@eac.gov  
cc  
Subject FW: EAC Voluntary Voting System Guidelines --  
NAPALC-APALC Comments 9.29.05

Dear EAC:

On Sept. 29, APALC and NAPALC submitted joint comments on the EAC's proposed voluntary voting system guidelines. I am forwarding the email transmitting these comments. I do not see the comments posted on the EAC's website. Would someone at the EAC be able to check on whether these comments were posted and let me know when the comments have been posted?

Thanks very much,  
Eugene Lee

018210

Eugene Lee  
Staff Attorney, Voting Rights Project  
Asian Pacific American Legal Center  
1145 Wilshire Boulevard, Second Floor  
Los Angeles, CA 90017  
Phone: 213.977.7500 x 212  
Fax: 213.977.7595  
Email: elee@apalc.org  
Web: www.apalc.org

-----Original Message-----

From: Eugene Lee [mailto:elee@apalc.org]  
Sent: Thursday, September 29, 2005 6:50 PM  
To: votingsystemguidelines@eac.gov  
Cc: Terry Ao [tao@napalc.org]  
Subject: EAC Voluntary Voting System Guidelines -- NAPALC-APALC Comments  
9.29.05

Dear Commissioners:

On behalf of the National Asian Pacific American Legal Consortium (NAPALC) and the Asian Pacific American Legal Center of Southern California (APALC), I submit the joint comments of NAPALC and APALC on the proposed Voluntary Voting System Guidelines. The comments are attached to this email as a PDF file.

Yours truly,  
Eugene Lee

Eugene Lee  
Staff Attorney, Voting Rights Project  
Asian Pacific American Legal Center  
1145 Wilshire Boulevard, Second Floor  
Los Angeles, CA 90017  
Phone: 213.977.7500 x 212  
Fax: 213.977.7595  
Email: elee@apalc.org  
Web: www.apalc.org

cc: Terry M. Ao, Esq.

Attachment



NAPALC-APALC Comments on EAC Voluntary Voting System Guidelines 9.29.05.pdf

018211

Carol A. Paquette/EAC/GOV  
09/04/2005 07:53 PM

To [REDACTED]  
cc  
bcc  
Subject Fw: format for VVSG comments

Had a typo in your address.

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov

----- Forwarded by Carol A. Paquette/EAC/GOV on 09/04/2005 07:52 PM -----

Carol A. Paquette/EAC/GOV  
09/04/2005 01:12 PM

To joehall@pobix.com  
cc  
Subject format for VVSG comments

Joe -

Apologize for not responding sooner. There has been a lot of travel in the past two months and I've overlooked some emails. The VVSG comment section on the EAC webpage provides information on how to provide comments. We prefer that you use the electronic form on the website, but you can also respond by email or snail mail or FAX. All the information is there. The deadline is 9/30.

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov

018212

Carol A. Paquette/EAC/GOV  
08/22/2005 01:28 PM

To [REDACTED]  
cc juliet.thompson@eac.gov@EAC  
bcc  
Subject VVSG comments

Mr. Morales -

We have received your comments, which you sent by email. We have just recently gotten a contract in place with Kennesaw University for assistance in managing and reviewing the VVSG comments. All the email comments have been forwarded to them to enter into the database that can be viewed from the website. We anticipate having all comments received by other means than direct website submission to be posted within the next week. Thank you for your patience.

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov

018213

Carol A. Paquette/EAC/GOV  
08/23/2005 11:42 AM

To: [REDACTED]  
cc "Juliet E. Thompson" <juliet.thompson@eac.gov>  
bcc  
Subject Re: VVSG comments

Be sure that you click on the Submit button when your ready to send them. We noted that there is no warning given that if you don't click on Submitn your comments will not be recorded. We are going to add this warning so it is more clear what you need to do. Thank you

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: "Fernando Morales" [REDACTED]  
Sent: 08/23/2005 10:42 AM  
To: Carol Paquette  
Cc: Juliet E. Thompson" <juliet.thompson@eac.gov>  
Subject: Re: VVSG comments

Ms. Paquette, thanks for your response, I will re-submitted today.

----- Original Message -----

From: [cpaquette@eac.gov](mailto:cpaquette@eac.gov)  
To: [Fernando Morales](#)  
Cc: [Juliet E. Thompson](#)  
Sent: Tuesday, August 23, 2005 9:12 AM  
Subject: Re: VVSG comments

Mr. Morales -

There is no filtering or blocking being done on comments. However, I reviewed all the comments we have received yesterday afternoon and there were no comments from you in the on-line database. I am out of office in meetings for the next 3 days but will check to see if there is a problem with that application. Thank you for bringing this to our attention.

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: "Fernando Morales" [REDACTED]  
Sent: 08/23/2005 08:10 AM  
To: Carol Paquette  
Cc: [juliet.thompson@eac.gov](mailto:juliet.thompson@eac.gov)  
Subject: Re: VVSG comments

018214

Ms. Paquette, thanks for your response, good morning:

I wonder if you can tell me why also my July 31, 2005 direct submission was not posted and why one day later the Jeff Donald direct submission was posted on August 1, 2005. Is the direct submission software sensitive to who file it? or blocked because contain key words in the argument?

Please advice,

Fernando Morales

----- Original Message -----

**From:** [cpaquette@eac.gov](mailto:cpaquette@eac.gov)

**To:** ~~fernando.morales@comment.net~~

**Cc:** [juliet.thompson@eac.gov](mailto:juliet.thompson@eac.gov)

**Sent:** Monday, August 22, 2005 1:28 PM

**Subject:** VVSG comments

Mr. Morales -

We have received your comments, which you sent by email. We have just recently gotten a contract in place with Kennesaw University for assistance in managing and reviewing the VVSG comments. All the email comments have been forwarded to them to enter into the database that can be viewed from the website. We anticipate having all comments received by other means than direct website submission to be posted within the next week. Thank you for your patience.

Carol A. Paquette

U.S. Election Assistance Commission

(202)566-3125 [cpaquette@eac.gov](mailto:cpaquette@eac.gov)

018215

Carol A. Paquette/EAC/GOV  
09/27/2005 06:08 PM

To elee@apalc.org  
cc  
bcc  
Subject missing text in Voluntary Voting System Guidelines

Mr. Lee -

Have received your email concerning missing text under the heading of "2.2.7.2 Limited English Proficiency" after the sentence "HAVA SEction 301(a)(4) reads in part".

I have reviewed the Guidelines text on our webpage and it is all there. Is there anything I can do to clarify this topic?

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov

018216

Carol A. Paquette/EAC/GOV  
09/27/2005 06:01 PM

To "Connor Howard"  
<vhoward@kennesaw.edu>@GSAEXTERNAL  
cc "Merle King" <mking@kennesaw.edu>  
bcc  
Subject Re: Email from Eugene Lee - Asian Pacific American Legal  
Center

Connor -

I looked at the VVSG on the webpage and all the text seems to be there. I'll respond to this person to see where the disconnect is. Good to meet you today. Glad you were able to make the trip!

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov  
"Connor Howard" <vhoward@kennesaw.edu>



"Connor Howard"  
<vhoward@kennesaw.edu>  
09/19/2005 04:10 PM

To cpaquette@eac.gov  
cc "Merle King" <mking@kennesaw.edu>  
Subject Email from Eugene Lee - Asian Pacific American Legal  
Center

Carol,

Merle wanted me to make you aware of this email comment that we received. It has been posted to our database.

Thanks,

Connor Howard  
Project Manager  
Center for Election Systems  
Phone: 678-797-2993  
Email: vhoward@kennesaw.edu

Name : Eugene Lee  
Organization : Asian Pacific American Legal Center  
Email Address : elee@apalc.org  
Post Date : 9/19/2005

At the bottom of page 2 under the heading "2.2.7.2 Limited English Proficiency," there appears to be some language missing after the sentence, "HAVA Section 301(a)(4) reads in part:"

We respectfully request the EAC make this language available before the September 30, 2005 deadline for submitting comments to the proposed Voluntary Voting System Guidelines.

018217

Carol A. Paquette/EAC/GOV  
09/19/2005 04:52 PM

To "Connor Howard"  
<vhoward@kennesaw.edu>@GSAEXTERNAL  
cc "Merle King" <mking@kennesaw.edu>  
bcc  
Subject Re: Email from Eugene Lee - Asian Pacific American Legal  
Center

Connor -

Will check this out. Thanks!

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov  
"Connor Howard" <vhoward@kennesaw.edu>



"Connor Howard"  
<vhoward@kennesaw.edu>  
09/19/2005 04:10 PM

To cpaquette@eac.gov  
cc "Merle King" <mking@kennesaw.edu>  
Subject Email from Eugene Lee - Asian Pacific American Legal  
Center

Carol,

Merle wanted me to make you aware of this email comment that we received. It has been posted to our database.

Thanks,

Connor Howard  
Project Manager  
Center for Election Systems  
Phone: 678-797-2993  
Email: vhoward@kennesaw.edu

Name : Eugene Lee  
Organization : Asian Pacific American Legal Center  
Email Address : elee@apalc.org  
Post Date : 9/19/2005

At the bottom of page 2 under the heading "2.2.7.2 Limited English Proficiency," there appears to be some language missing after the sentence, "HAVA Section 301(a) (4) reads in part:"

We respectfully request the EAC make this language available before the September 30, 2005 deadline for submitting comments to the proposed Voluntary Voting System Guidelines.

018218

Carol A. Paquette/EAC/GOV  
08/24/2005 04:08 PM

To " [REDACTED] >  
cc  
bcc  
Subject Re: Fernando Morales email submitted

Thanks!

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: choward  
Sent: 08/24/2005 03:58 PM  
To: mking@kennesaw.edu  
Cc: Carol Paquette; apeel@kennesaw.edu; khonea@kennesaw.edu  
Subject: Fernando Morales email submitted

Merle,

The email submission from Fernando Morales has been posted to the web site.

Connor

018219



"Eugene Lee"  
<elee@apalc.org>  
11/08/2005 09:33 PM

To nmortellito@eac.gov  
cc cpaquette@eac.gov  
bcc  
Subject RE: My org.'s comments on EAC Voluntary Voting System  
Guidelines have not been posted yet

Dear Ms. Mortellito,

Thank you much for letting me know.

Regards,  
Eugene Lee

Eugene Lee  
Staff Attorney, Voting Rights Project  
Asian Pacific American Legal Center  
1145 Wilshire Boulevard, Second Floor  
Los Angeles, CA 90017  
Phone: 213.977.7500 x 212  
Fax: 213.977.7595  
Email: elee@apalc.org  
Web: www.apalc.org

-----Original Message-----

**From:** nmortellito@eac.gov [mailto:nmortellito@eac.gov]  
**Sent:** Tuesday, November 08, 2005 6:07 AM  
**To:** elee@apalc.org  
**Cc:** cpaquette@eac.gov  
**Subject:** Re: My org.'s comments on EAC Voluntary Voting System Guidelines have not been posted yet

Dear Mr. Lee:

Please sort by the name field and look for the name Eugene Lee. The comments were entered using this name. You will be able to find them easily this way.

Regards,

Nicole K. Mortellito  
Special Projects  
U.S. Election Assistance Commission  
1225 New York Avenue - Suite 1100  
Washington, DC  
202.566.2209 phone  
202.566.3128 fax

013220

"Eugene Lee" <elee@apalc.org>

11/06/2005 03:31 PM

Dear EAC:

My organization's comments on the EAC voluntary voting system guidelines have not been posted on the EAC's website yet. I submitted the attached PDF file on September 29, 2005. The PDF file is not posted on the website. If the EAC could please post the PDF file, that would be much appreciated.

Please call me if there are any questions.

Thank you,  
Eugene Lee

Eugene Lee  
Staff Attorney, Voting Rights Project  
Asian Pacific American Legal Center  
1145 Wilshire Boulevard, Second Floor  
Los Angeles, CA 90017  
Phone: 213.977.7500 x 212  
Fax: 213.977.7595  
Email: elee@apalc.org  
Web: www.apalc.org

-----Original Message-----

From: Eugene Lee [mailto:elee@apalc.org]  
Sent: Thursday, September 29, 2005 6:50 PM  
To: votingsystemguidelines@eac.gov  
Cc: Terry Ao [tao@napalc.org]  
Subject: EAC Voluntary Voting System Guidelines -- NAPALC-APALC Comments 9.29.05

Dear Commissioners:

On behalf of the National Asian Pacific American Legal Consortium (NAPALC) and the Asian Pacific American Legal Center of Southern California (APALC), I submit the joint comments of NAPALC and APALC on the proposed Voluntary Voting System Guidelines. The comments are attached to this email as a PDF file.

Yours truly,  
Eugene Lee

Eugene Lee  
Staff Attorney, Voting Rights Project  
Asian Pacific American Legal Center  
1145 Wilshire Boulevard, Second Floor

018221

Los Angeles, CA 90017  
Phone: 213.977.7500 x 212  
Fax: 213.977.7595  
Email: elee@apalc.org  
Web: www.apalc.org

cc: Terry M. Ao, Esq.

Attachment

018222

Withhold

b/c

pre decisional

To: Carol

Contractor should also be required to submit weekly reports to EAC. I would like to see these reports.)

7/6/2005

STATEMENT OF WORK FOR TECHNICAL ASSISTANCE TO THE EAC FOR THE COLLECTION, MANAGEMENT, REVIEW, AND RESPONSE TO THE PUBLIC COMMENTS RECEIVED ON THE VOLUNTARY VOTING SYSTEM GUIDELINES

Background. On May 9, 2005, the EAC received the initial set of recommendations for the HAVA-mandated Voluntary Voting System Guidelines from the Technical Guidelines Development Committee (TGDC). After performing its due diligence review of this document, the EAC made several changes and published the revised document for a 90 day public comment period. This period began on June 29, with publication of a notice in the Federal Register.

The EAC has established several alternative methods for submitting comments:

- On-line electronic comment form at [www.eac.gov](http://www.eac.gov)
- E-mail to [votingsystemguidelines@eac.gov](mailto:votingsystemguidelines@eac.gov)
- Postal mail to Voting System Guidelines Comments at EAC
- FAX to Voting System Guidelines Comments at 202.566.3127

The on-line comment form is associated with an application developed to assist with the management, tracking, and review of comments. This application will permit the manual entry of comments received from other sources so that all comments will be stored and managed from a single source. All comments will be posted for public review on the EAC website.

All comments will need to be reviewed and categorized into editorial, substantive, and other general categories useful for management purposes. Substantive comments will be assessed to determine if they indicate a need to modify the Guidelines. This may require some research and analysis, including consultation with NIST and/or the TGDC. At the conclusion of the comment period, EAC will be required to summarize the numbers and types of comments received and their disposition.

Tasks.

1. Host document for public review and post comments received. The Contractor shall host the Voluntary Voting System Guidelines document and commenting application on their website and make them available for public access from the start of the contract until the close of the comment period (September 26, 2005). This access shall be provided by a hot link from the EAC homepage.

The Contractor shall perform initial screening of comments for profanity or other offensive content. Originators of such comments will be informed that such material cannot be posted for public consumption. These comments will be

Comments from the  
Chair 7/7/2005

018224

retained in the database, but not approved for public posting. All other comments will be posted to the website for public review.

The EAC will forward to the Contractor all comments received by other means than the on-line comment form for entry into the comment database for public posting and analysis. The Contractor shall provide appropriate quality control to ensure that all comments are captured correctly. Comments will be entered verbatim as received, with no corrections or excerpting.

Hosting of comments will extend for an estimated 30 days beyond the close of the comment period to allow sufficient time to review and determine their disposition. All comments shall be copied to CDs for transfer and retention by the EAC at the conclusion of the contract.

2. Recommend a comment classification schema and organize comments accordingly. The Contractor shall recommend a classification schema for categorizing comments relative to the degree of analysis required. For example, comments dealing with editorial points, typographical errors, and grammar can be handled very straightforwardly. Comments that are more technical in nature may require considerable analysis and perhaps research in order to make a determination on their disposition. Upon approval of the schema by EAC, the Contractor shall organize comments in this manner and periodically provide reports to the EAC on the number and kinds of comments received, and recommendations for the disposition of substantive comments. Comments shall be mapped to relevant portions of the Guidelines document. Periodic teleconferences will be conducted to review status of work, discuss comments and recommendations, and identify issues that will require consultation with NIST or other sources for resolution.
3. Update standards referenced in Guidelines. There are several places in the Guidelines that refer to standards promulgated by other organizations, e.g., ANSI, IEEE, IEC, MILSTD. The Contractor shall research all standards references to identify the latest version and ensure that this is the version referenced in the Guidelines. All references must include the date and version number, if appropriate. In addition, the Contractor shall research commercial practice and other sources of standards to identify replacements for the MILSTD references no longer maintained by the Department of Defense. The Contractor will edit references to standards in the body of the Guidelines to the title of the standard only and key the entry to the References section. This will facilitate the future issuance of technical addenda to the References as versions of standards evolve without having to create change notices for the body of the document.
4. Develop a comprehensive Glossary of election terms related to voting systems and certification. The Glossary in the 2005 Guidelines has been expanded from the 2002 Voting Systems Standards. However, it needs further work. All key terms in the body of the document should be included in the Glossary. In addition,

Can EAC change this section of its own accord without if going back out for public comment?

some terms are defined somewhat differently by various jurisdictions (e.g., absentee voting). Conversely, some concepts are referred to by different terms in different jurisdictions (e.g., ballot type, ballot style). The Contractor shall make recommendations to EAC for additional terms and additional definitions to be included in the Glossary.

5. Maintain master copy of Guidelines and make revisions as directed by EAC. EAC intends to revise the Guidelines throughout the comment period to expedite the process of issuing the final Guidelines at the end of that period. The Contractor shall maintain the master copy of the Guidelines and make revisions as directed by EAC. The Contractor shall maintain strict configuration management and version control of all changes.

6. Assist EAC in planning and conducting Guidelines discussions with statutory boards. HAVA mandates that all guidance issued by the EAC must be reviewed and commented on by the Board of Advisors and the Standards Board. The Board of Advisors is scheduled to meet in Portland, Oregon, August 3-5. The Standards Board is scheduled to meet in Denver, Colorado, August 24-25. The Contractor shall assist the EAC by facilitating the discussion of the Guidelines at these meetings. The Contractor shall take notes at these meetings and collect all comments provided by the Board members.

7. Attend public hearings on Guidelines. One public hearing was conducted in New York City on June 30. Two additional hearings are planned. One is at Caltech in Pasadena, California, on July 28. The other is scheduled for Denver, Colorado, on August 23. The Contractor shall attend these hearings to maintain awareness of the concerns and issues that members of the election community and the public express regarding the Guidelines.

Board of  
Advisors does not  
need this service; however  
Kennesaw should send somebody  
to observe, take notes and  
be a resource.

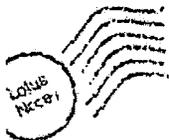
Carol A. Paquette/EAC/GOV  
06/02/2005 09:21 AM

To Gracia Hillman/EAC/GOV  
cc Juliet E. Thompson/EAC/GOV, Paul DeGregorio/EAC/GOV,  
Raymundo Martinez/EAC/GOV  
bcc  
Subject Re: proposed consulting contract to assist with NASED/EAC  
transition work

Madam Chair -

Let me provide some explanation for this cost. The hourly rate that Steve is quoting for this work is \$135. This is a reduction from the \$165 per hour rate he charges commercial entities. This rate includes not just his personal compensation, but also a pro-rated amount to cover the costs of operating his business (e.g., office space, telephone, computer, supplies, liability insurance, business licenses and taxes, professional licenses, accounting services). In addition, as an independent consultant, his business expenses include paying both the employer and employee contributions to Social Security and Medicare, plus his personal health insurance premiums. The rate Steve is quoting is quite reasonable for an experienced senior professional engineer. I had estimated an hourly rate of \$125 for the peer reviewers EAC will be contracting with for reviewing system test plans; this figure was based on industry data and less senior people. Hope this is helpful.

Carol A. Paquette  
Interim Executive Director  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov  
Gracia Hillman/EAC/GOV



Gracia Hillman/EAC/GOV  
06/01/2005 08:22 PM

To Carol A. Paquette/EAC/GOV@EAC  
cc Juliet E. Thompson/EAC/GOV, Paul DeGregorio/EAC/GOV,  
Raymundo Martinez/EAC/GOV  
Subject Re: proposed consulting contract to assist with NASED/EAC  
transition work

I am not willing to agree to a consultant contract that will pay one individual 5,600 dollars per week.

-----  
Sent from my BlackBerry Wireless Handheld  
Carol A. Paquette

From: Carol A. Paquette  
Sent: 06/01/2005 06:34 PM  
To: Gracia Hillman  
Cc: Juliet Thompson; Paul DeGregorio; Raymundo Martinez  
Subject: Re: proposed consulting contract to assist with NASED/EAC  
transition work

This amount covers six weeks of labor hours, which amounts to \$32,400. He will need to make possibly two trips here from his business location in Texas, plus minor incidental expenses such as long distance phone calls, etc. So I rounded the amount to \$40,000 to cover these additional costs. \$40,000 is a ceiling amount for the contract. We will only be billed for hours worked and actual travel expenses incurred. This would be a Time & Materials contract, not a Fixed Price.

018227

Carol A. Paquette  
Interim Executive Director  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov  
Gracia Hillman/EAC/GOV



Gracia Hillman/EAC/GOV  
06/01/2005 03:10 PM

To Carol A. Paquette/EAC/GOV@EAC  
Juliet E. Thompson/EAC/GOV@EAC, "Paul DeGregorio"  
cc <pdegregorio@eac.gov>, "Ray Martinez"  
<rmartinez@eac.gov>  
Subject Re: proposed consulting contract to assist with NASED/EAC  
transition work

Please explain what would be covered in the 40,000 dollars.

-----  
Sent from my BlackBerry Wireless Handheld  
Carol A. Paquette

From: Carol A. Paquette  
Sent: 06/01/2005 12:20 PM  
To: Gracia Hillman; Paul DeGregorio; Raymundo Martinez; Juliet Thompson;  
twilkey@nycap.rr.com  
Cc: Sheila Banks; Adam Ambrogi; Gavin Gilmour; Brian Hancock  
Subject: proposed consulting contract to assist with NASED/EAC transition  
work

Commissioners et al. -

The work on developing the EAC processes, documentation, etc., for transitioning lab accreditation and system certification from NASED to EAC has fallen significantly behind schedule. The project timeline called for completion of this work for Commissioner review by the end of May. We are perhaps 50% complete at this point.

We had requested assistance from NIST to work with Brian Hancock on this effort, but they have not been forthcoming with meaningful help. They provided a point of contact who passed on a lot of reference material for Brian to review, but they haven't identified anyone to help with defining the processes and preparing the documentation. The point of contact has since been diverted by some family medical problems, and Lynne Rosenthal hasn't been able to identify another person.

Prior to his departure, Commissioner Soaries encouraged me to find some additional resources to help move this work to completion. The Chair similarly advised me about two weeks ago when I was speaking to her about my concern over the lagging schedule.

In response to this direction to get help, I sent an email to Steve Berger, David Karmol, Paul Craft, Brit Williams, and Michael Shamos, asking if they could identify any individuals or companies we could contract with quickly to get this work done. Steve Berger responded that he could assist. I checked with EAC Counsel's Office to see if there were any issues regarding EAC contracting with a member of the TGDC. Julie and Gavin informed me that there were no problems with this. Steve is very well-qualified by education and experience to assist us in this effort. Paul Craft and Brit Williams concurred that Steve could more than adequately fill the requirement.

Brian and I have had several conversations with Steve and are convinced that his assistance will enable

018228

us to move ahead quickly to meet our revised target completion date of June 30. He has worked on defining similar quality conformance programs for other organizations and is knowledgeable of all the relevant standards, etc., and which need to be applied.

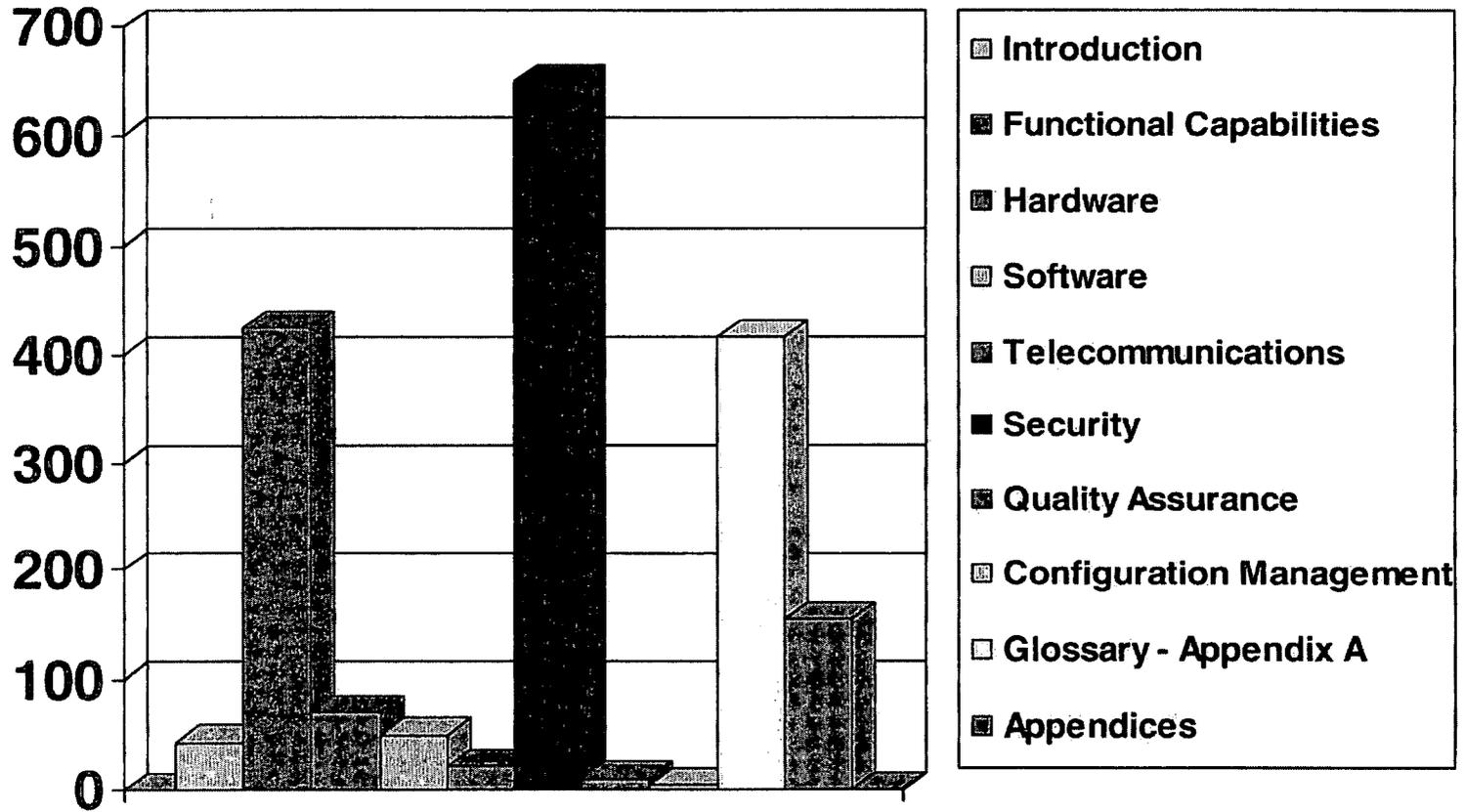
Consequently, I am recommending that the EAC enter into a consulting contract with Steve Berger for a not to exceed amount of \$40,000 and a period of performance from June 1 through July 31. The first milestone is to help Brian complete this work for Commission review by June 30. Steve's time in the month of July would be utilized to respond to questions and comments from the Commissioners to complete the work for Commission approval and establishment of a transition date.

I am available to discuss this matter and answer any questions you may have. If you are in agreement with this course of action, I will ask DeAnna to prepare appropriate consensus vote.

Carol A. Paquette  
Interim Executive Director  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov

018229

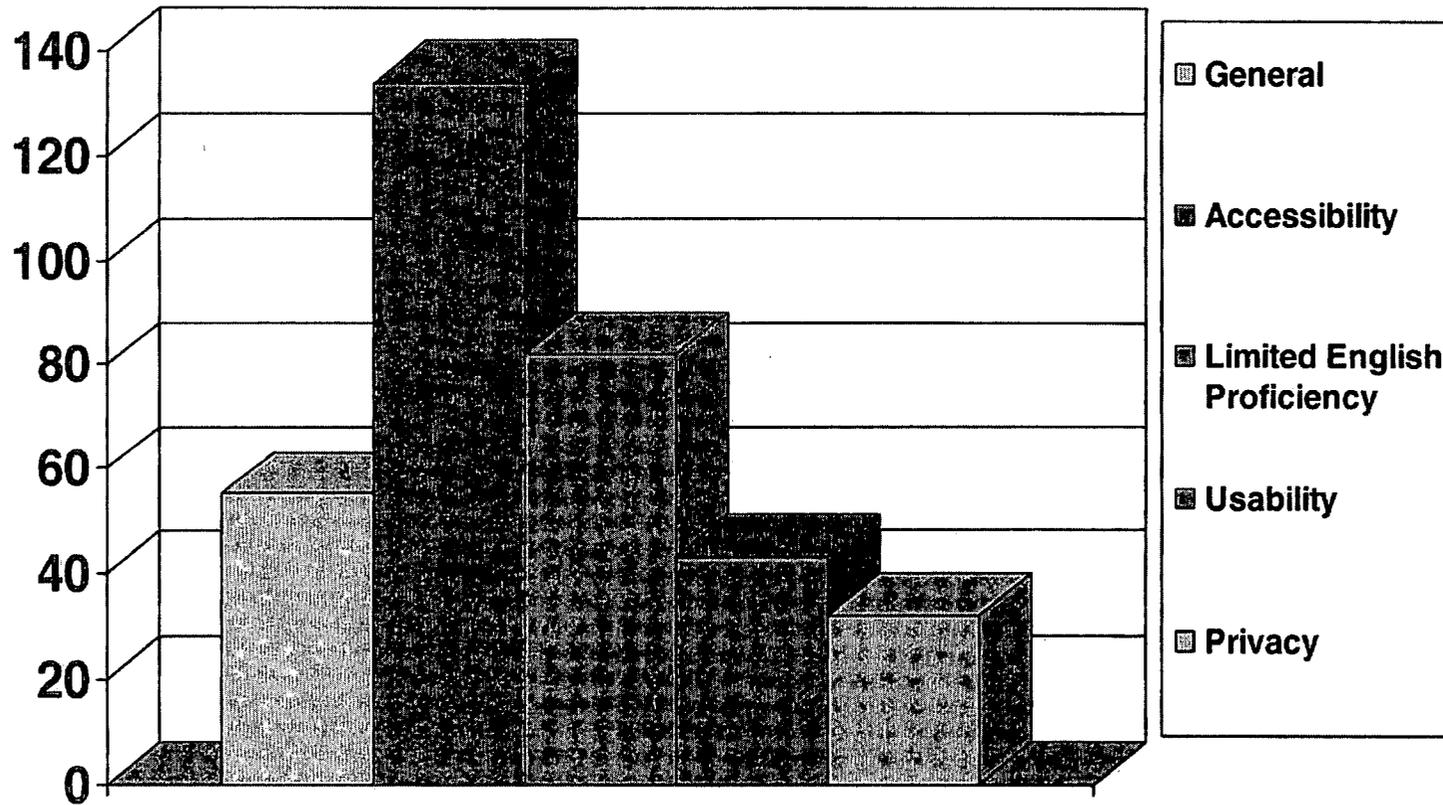
# Summary of Volume I Comments



**Total: 2250 Comments**

018230

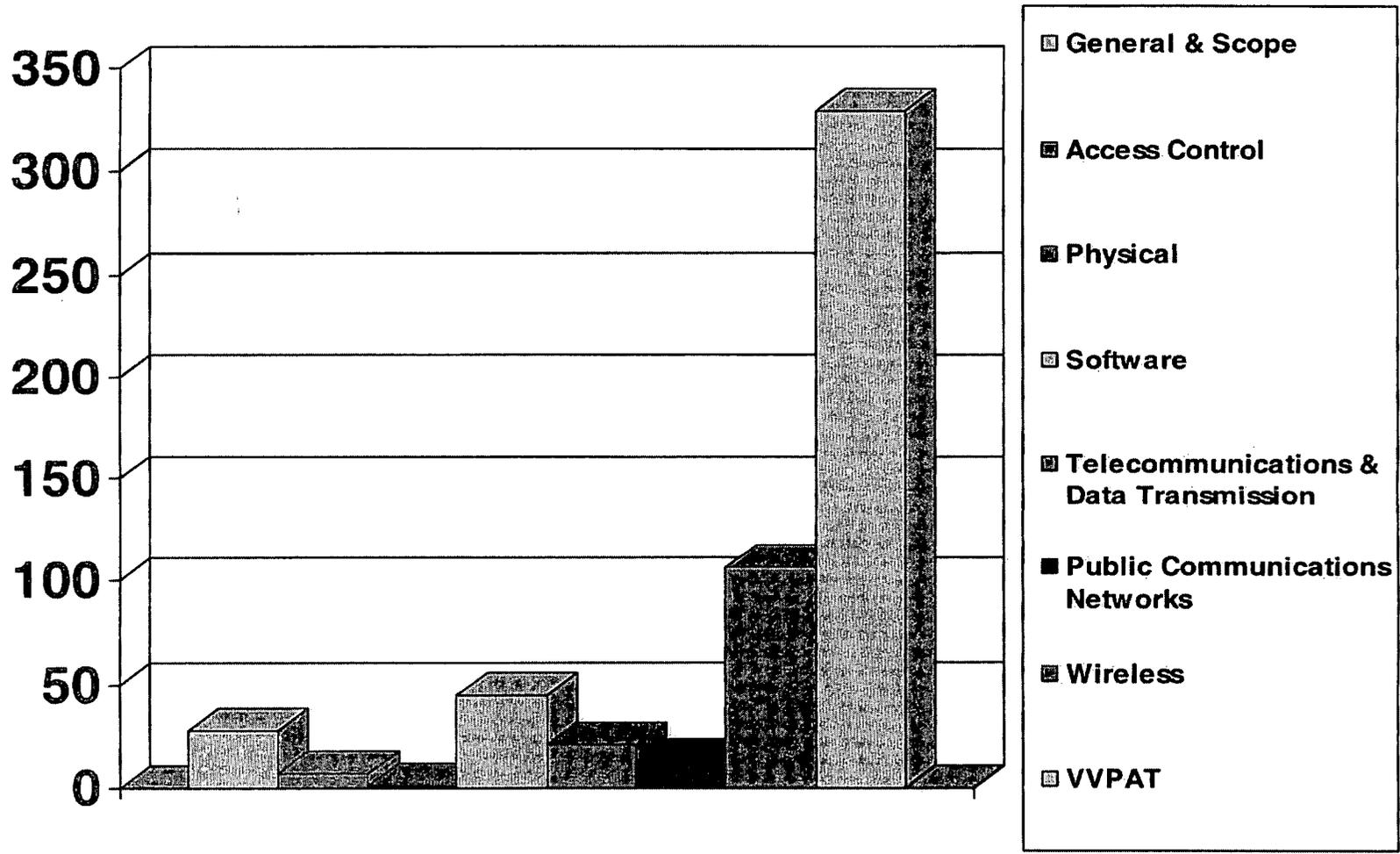
# Summary of Human Factors Comments



**Total: 350 Comments**

018231

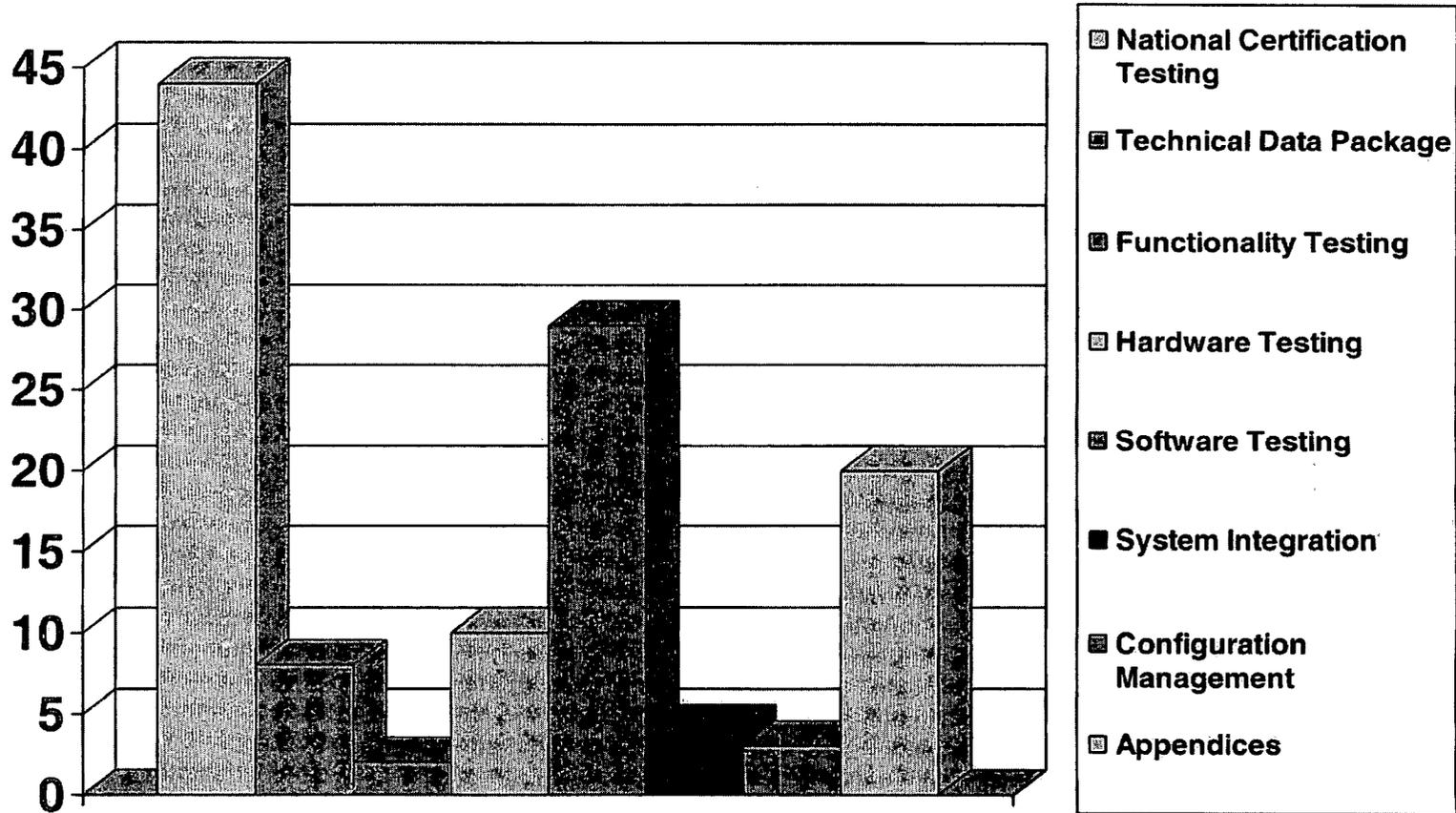
# Summary of Security Comments



Total: 550 Comments

018232

# Summary of Volume II Comments



**Total: 120 Comments**

018233

# FOIA File

F05 - 003

# FOIA File

F05-002

# FOIA File



**U.S. ELECTION ASSISTANCE COMMISSION**  
**1225 New York Ave. NW - Suite 1100**  
**Washington, DC 20005**

October 3, 2005

Ms. Lillie Coney  
Associate Director  
Electronic Privacy Information Center (EPIC)  
1718 Connecticut Ave, NW  
Washington, DC 20009

Dear Ms. Coney:

This letter responds to your Freedom of Information Act (FOIA) request received by the U.S. Election Assistance Commission (EAC) on September 14, 2005 (dated September 12, 2005). The request seeks certain contracts and contract related documents.

The EAC is in the process of gathering the documents responsive to your request. Given that you seek the release of contracts which may contain confidential commercial information, the EAC is required to take certain additional steps before a final determination regarding release may be made. Consistent with Executive Order 12600, titled Predisclosure Notification Procedures for Confidential Commercial Information, the EAC will contact the submitter of the information requested. These organizations or individuals will be provided the opportunity to identify information they believe is covered by FOIA's confidential commercial information exception (5 U.S.C. 522(b)(4)). The submitters will be given 10 working days to provide a response. The final decision to release any documents responsive to your request will rest with the EAC. Given the additional coordination required to process your FOIA request, the EAC requires an additional 20 working days to respond. The EAC must take its responsibility to protect confidential commercial information seriously, as the Trade Secrets Act (18 U.S.C.A. § 1905) makes it a criminal offense for a Federal employee to disclose such information.

This letter is not a final response to your FOIA request. If you need further information on the EAC actions, you may reach me at (202) 566-3100 or [ggilmour@eac.gov](mailto:ggilmour@eac.gov).

Sincerely,

Gavin S. Gilmour  
Associate General Counsel

Attachments:

1. Your Request Letter (dated September 12, 2005)

018234

Gavin S. Gilmour/EAC/GOV  
10/24/2005 12:03 PM

To "Lillie Coney" <coney@epic.org>  
cc Gaylin Vogel/EAC/GOV@EAC  
bcc  
Subject FOIA Request

Ms. Coney,

I received your telephone call this morning. We are working on your FOIA request consistent with our last letter. As required by law, we work on these requests on a first in, first out basis (EAC has no fast track). Your request is presently our FOIA priority. As you know, we are very small agency with limited resource, but work hard to meet the needs of the public. At this point, I expect you will have our response within the additional 20 working days noted in our last letter.

Sincerely,

Gavin S. Gilmour  
Associate General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

018235



**U.S. ELECTION ASSISTANCE COMMISSION**  
1225 New York Ave. NW - Suite 1100  
Washington, DC 20005

November 9, 2005

Ms. Lillie Coney  
Associate Director  
Electronic Privacy Information Center (EPIC)  
1718 Connecticut Ave, NW  
Washington, DC 20009

Dear Ms. Coney:

This letter is in response to your Freedom of Information Act (FOIA) request received by the U. S. Election Assistance Commission (EAC) on September 14, 2005 (dated September 12, 2005). A copy of your request is attached.

Please find documents responsive to the above referenced request, enclosed. As you look through the materials you will find that a few pieces of information have been redacted in black. As required by FOIA exemption 6, the EAC has redacted certain pieces of personal information, including home addresses, telephone numbers, names, bank account information, employer identification numbers, and personal e-mail addresses. The EAC has also redacted confidential commercial information as mandated by FOIA exemption 4. Specifically, the EAC has redacted information that can be used to calculate actual costs regarding Kennesaw State labor rates. Further, the EAC has withheld one document (three pages) and five e-mails (less than a page each) pursuant to the deliberative process privilege and FOIA exemption 5. The EAC has withheld these documents as they are predecisional documents in which EAC decision makers discuss contracting policy options.

The EAC has decided to waive the processing fees for your request. If you interpret any portion of this response as an adverse action, you may appeal it to the Election Assistance Commission. Your appeal must be in writing and sent to the address noted on the above letterhead. Any appeal submitted, must be postmarked no later than 60 calendar days from the date of this letter. Please include your reasons for reconsideration and attach a copy of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Gavin S. Gilmour", written over a horizontal line.

Gavin S. Gilmour  
Associate General Counsel

Attachments:

1. Your Request Letter (dated September 12, 2005)
2. Responsive Documents

018236



# Electronic Privacy Information Center (EPIC)

1718 Connecticut Avenue, NW,  
Suite 200  
Washington, DC 20009  
USA

Phone: 202-483-1140  
Ffax: 202-483-1248  
<http://www.epic.org>  
Email: [coney@epic.org](mailto:coney@epic.org)

## Fax Cover Sheet

Send to: <b>US Election Assistance Comm.</b>	From: <b>Lillie Coney</b>
Attention: <b>Julie Thompson, FOIA Officer</b>	Office Location <b>1718 Connecticut Avenue, NW</b>
Office location: <b>Washington DC</b>	Date: <b>9/12/05</b>
Fax number: <b>202-5166-3127</b>	Phone number: <b>202-483-1140 Ext. 111</b>

- URGENT    
 REPLY ASAP    
 PLEASE COMMENT    
 PLEASE REVIEW    
 FOR YOUR INFORMATION

TOTAL PAGES, INCLUDING COVER: **2**

Comments:

FOIA Request

Answer due  
Nov 10

(cc 10/5)

10/11  
25

## ELECTRONIC PRIVACY INFORMATION CENTER

**epic.org**

September 12, 2005

Fax 202-566-3127

Julie Thompson  
 FOIA Officer  
 United States Election Assistance Commission  
 1225 New York Avenue N.W., Suite - 1100  
 Washington, DC 20005

RE: Freedom of Information Act Request

Dear Ms. Thompson,

This letter constitutes a request under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and is submitted on behalf of the Electronic Privacy Information Center (EPIC):

We are seeking all agency records concerning agency contracts awarded between July 9, 2004 and the date of the receipt of this letter. The documents sought include, but are not limited to documents regarding contracts, memorandum of understanding, and fee for service agreements in the employment of Stephen Berger and Kennesaw State University by the U.S. Election Assistance Commission (EAC). We also seek documents regarding contracts, memorandum of understanding, fee for service agreements, and employment of other current or former members of EAC's Technical Guidelines Development Committee (TGDC). Also provide all memorandum, letters and e-mails regarding meetings and communications to enter into contracts, memorandum of understanding, fee for service agreements, and employment of TGDC members or institutions they were affiliated with within one year of the date of the first meeting of the Committee.

For purposes of FOIA fee assessments, we request that EPIC be placed in the category of "news media" requester. The U.S. District Court for the District of Columbia has determined that EPIC qualifies for "news media," fee status, *EPIC v. Department of Defense*, 241 F.Supp.2d 5 (D.D.C. 2003). We also request a waiver of all processing fees, as release of this information will contribute significantly to the public's understanding of the activities and operation of the government.

Thank you for your consideration of this FOIA request. As the FOIA regulations provide, I look forward to your response within 20 working days. Should you require additional information, please contact me at 202-483-1140 x 111 or by e-mail at [coney@epic.org](mailto:coney@epic.org).

Sincerely,

Lillie Coney  
 Associate Director

1718 Connecticut Ave NW  
 Suite 200  
 Washington DC 20009  
 USA  
 +1 202 483 1140 (tel)  
 +1 202 483 1248 (fax)  
[www.epic.org](http://www.epic.org)

018238



"Lillie Coney"  
<coney@epic.org>  
10/25/2005 05:44 PM

To ggilmour@eac.gov  
cc "Lillie Coney" <coney@epic.org>  
bcc  
Subject Re: FOIA Request

Mr. Gilmour, I will assume that the 20 day extension is in addition to the 20 days initial requested on EPIC's September 12, 2005 letter, which did not begin until the agency received the letter on September 16, 2005. This would mean that a reply in part or in full is expected on or before November 14, 2005, because November 11, 2005 is Veterans Day.

Thank you for the reply to my request.

>Ms. Coney,

>

>I received your telephone call this morning. We are working on your  
>FOIA request consistent with our last letter. As required by law,  
>we work on these requests on a first in, first out basis (EAC has no  
>fast track). Your request is presently our FOIA priority. As you  
>know, we are very small agency with limited resource, but work hard  
>to meet the needs of the public. At this point, I expect you will  
>have our response within the additional 20 working days noted in our  
>last letter.

>

>

>Sincerely,

>

>Gavin S. Gilmour  
>Associate General Counsel  
>United States Election Assistance Commission  
>1225 New York Ave., NW, Ste 1100  
>Washington, DC 20005  
>(202) 566-3100

--

Lillie Coney  
Associate Director  
Electronic Privacy Information Center (EPIC)  
Coordinator, National Committee for Voting Integrity (NCVI)  
1718 Connecticut Avenue, NW  
Washington, DC 20009  
(p) 202-483-1140 x 111  
(f) 202-483-1248

018230

**ORDER FOR SUPPLIES AND SERVICES**

NOTE: MARK ALL PACKAGES WITH ORDER NUMBER/CONTRACT NUMBER

PAGE 1 OF 1 PAGES

1. DATE OF ORDER

2. ORDER NUMBER

3. CONTRACT NUMBER

4. ACT NUMBER

06/16/05

EAC 0541

E4014195

**IMPORTANT:**

- \* This form is not to be used as an invoice. See reverse for invoice requirements and payment information.
- \* The invoice remit to address must be the same as Block 12. Notify the contracting/ordering officer if the information in Block 12 is incorrect.
- \* Failure to show the ACT number (Block 4) on invoice will delay payment and render the invoice improper.
- \* Failure to mail invoice to address in Block 24 will delay payment.
- \* Failure of service contractors to provide information in Block 9A will result in 20% of payment being withheld (26 U.S.C. 3406(a)).

7. TO: CONTRACTOR (Name, address and zip code)

TEM Consulting

Contact: Stephen Berger

COPY

B. TYPE OF ORDER

REFERENCE YOUR

A. PURCHASE

Please furnish the following on the terms specified on both sides of the order and the attached sheets, if any, including

B. DELIVERY

This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above numbered contract.

C. MODIFICATION NO.

AUTHORITY FOR ISSUING

9A. EMPLOYER'S IDENTIFICATION NUMBER

9B. CHECK, IF APPROPRIATE, WITHHOLD 20%

Except as provided herein, all terms and conditions of the original order, as heretofore modified, remain unchanged.

10A. CLASSIFICATION

A. SMALL BUSINESS

B. OTHER THAN SMALL BUSINESS

C. SMALL DISADVANTAGED

D. SMALL WOMEN-OWNED

10B. TYPE OF BUSINESS ORGANIZATION

A. CORPORATION

B. PARTNERSHIP

C. SOLE

11. ISSUING OFFICE (Address, zip code and telephone no.)

Election Assistance Commission  
1225 New York Avenue, NW, Suite 1100  
Washington, DC 20005

12. REMITTANCE ADDRESS (MANDATORY)

Remittance via EFT  
See attached form

13. SHIP TO (Consignee address, zip code and telephone no.)

Same as block 11

14. PLACE OF INSPECTION AND ACCEPTANCE

EAC, 1225 NY Ave., Suite 1100, Wash., DC 20005

16. REQUISITION OFFICE (Name, symbol and telephone no.)

Election Assistance Commission

18. F.O.B. POINT

Destination

17. GOVERNMENT B/L NO.

18. DELIVERY F.O.B. POINT ON OR BEFORE

06/23/05

19. PAYMENT/DISCOUNT TERMS

Net 30

**20. SCHEDULE**

ITEM NO. (A)	SUPPLIES OR SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	Under the authority of Public Law 107-252, dated October 29, 2002, establishing the Election Assistance Commission (EAC). Request to provide technical assistance in defining EAC system certification and lab accreditation processes. See attached consulting agreement.				
	Total Cost of Delivery Order \$25,000.00				

21. RECEIVING OFFICE (Name, symbol and telephone no.)

Gracla M. Hillman (202) 566-3100

TOTAL FROM 300-A(s)

25,000.00

22. SHIPPING POINT

23. GROSS SHIP WT.

GRAND TOTAL

25,000.00

24. MAIL INVOICE TO: (include zip code)

General Services Administration (FUND)  
Election Assistance Commission  
1225 New York Avenue, NW, Suite 1100  
Washington, DC 20005

26A. FOR INQUIRIES REGARDING PAYMENT CONTACT:

Diana M. Scott

26B. TELEPHONE NO.

(202) 566-3100

28A. NAME OF CONTRACTING/ORDERING OFFICER (Type)

Gracla M. Hillman, Chair

28B. TELEPHONE NO.

(202) 566-3100

28C. SIGNATURE

*Gracla M. Hillman*

GENERAL SERVICES ADMINISTRATION

2. CONTRACTOR'S ORIGINAL

GSA FORM 300 (REV. 2-93)

018240

# PURCHASE ORDER TERMS AND CONDITIONS

## 552.229-70 FEDERAL, STATE, AND LOCAL TAXES (APR 1984)

The contract price includes all applicable Federal, State, and local taxes. No adjustment will be made to cover taxes which may subsequently be imposed on this transaction or changes in the rates of currently applicable taxes. However, the Government will, upon the request of the Contractor, furnish evidence appropriate to establish exemption from any tax from which the Government is exempt and which was not included in the contract price.

## 552.210-79 PACKING LIST (DEC 1989)

(a) A packing list or other suitable shipping document shall accompany each shipment and shall indicate (1) Name and address of consignor; (2) Name and address of consignee; (3) Government order or requisition number; (4) Government bill of lading number covering the shipment (if any); and (5) Description of the material shipped, including item number, quantity, number of containers, and package number (if any).

(b) When payment will be made by Government commercial credit card, in addition to the information in (a) above, the packing list or shipping document shall include: (1) Cardholder name and telephone number and (2) the term "Credit Card".

## 52.232-1 PAYMENTS (APR 1984)

The Government shall pay the Contractor, upon the submission of proper invoices or vouchers, the prices stipulated in this contract for supplies delivered and accepted or services rendered and accepted, less any deductions provided in this contract. Unless otherwise specified in this contract, payment shall be made on partial deliveries accepted by the Government if: (a) The amount due on the deliveries warrants it; or (b) The Contractor requests it and the amount due on the deliveries is at least \$1,000 or 50 percent of the total contract price.

## 52.232-8 DISCOUNTS FOR PROMPT PAYMENT (APR 1989)

(a) Discounts for prompt payment will not be considered in the evaluation of offers. However, any offered discount will form a part of the award, and will be taken if payment is made within the discount period indicated in the offer by the offeror. As an alternative to offering a prompt payment discount in conjunction with the offer, offers awarded contracts may include prompt payment discounts on individual invoices.

(b) In connection with any discount offered for prompt payment, time shall be computed from the date of the invoice. For the purpose of computing the discount earned, payment shall be considered to have been made on the date which appears on the payment check or the date on which an electronic funds transfer was made.

### PROMPT PAYMENT

Prompt Payment clause 52.232-25 is incorporated in this contract by reference. The clause contains information on payment due date, invoice requirements, constructive acceptance and interest penalties. Certain portions of the clause regarding payment due date, invoice requirements, and constructive acceptance have been extracted for your convenience. All days referred to in the extracts below are calendar days.

(a)(2) . . . The due date for making invoice payments by the designated payment office shall be the later of the following two events:

- (i) The 30th day after the designated billing office has received a proper invoice from the Contractor.
- (ii) The 30th day after Government acceptance of supplies delivered or services performed by the Contractor . . .

(a)(4) . . . An invoice shall be prepared and submitted to the designated billing office specified in the contract. A proper invoice must include the items listed in . . . (i) through . . . (viii) . . . If the invoice does not comply with these requirements, then the Contractor will be notified of the defect within 7 days after receipt of the invoice at the designated billing office . . . Untimely notification will be taken into account in the computation of any interest penalty owed the Contractor . . .

- (i) Name and address of the Contractor.
- (ii) Invoice date.
- (iii) Contract number or other authorization for supplies delivered or services performed (including order number and contract line item number).
- (iv) Description, quantity, unit of measure, unit price, and extended price of supplies delivered or services performed.
- (v) Shipping and payment terms (e.g., shipment number and date of shipment, prompt payment discount terms), Bill of lading number and weight of shipment will be shown for shipments on Government bills of lading.
- (vi) Name and address of Contractor official to whom payment is to be sent (must be the same as that in the contract or in a proper notice of assignment).
- (vii) Name (where practicable), title, phone number, and mailing address of person to be notified in event of a defective invoice.

NOTE: Invoices must include the ACT number (block 4) and shall be submitted in an original only, unless otherwise specified, to the billing office designated in block 24 to receive invoices. The "remit to" address must correspond to the remittance address in block 12.

(a)(6)(i) For the sole purpose of computing an interest penalty that might be due the Contractor, Government acceptance shall be deemed to have occurred constructively on the 7th day (unless otherwise specified in block 20) after the Contractor delivered the supplies or performed the services in accordance with the terms and conditions of the contract, unless there is a disagreement over quantity, quality or contractor compliance with a contract provision . . .

## 52.222-40 SERVICE CONTRACT ACT OF 1965, AS AMENDED - - CONTRACTS OF \$2,500 OR LESS (MAY 1989)

Except to the extent that an exception, variation, or tolerance would apply if this contract were in excess of \$2,500, the Contractor and any subcontractor shall pay all employees working on the contract not less than the minimum wage specified under Section 6 a) (1) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201-206). Regulations and Interpretations of the Service Contract Act of 1965 are contained in 29 CFR Part 4.

## 52.222-41 SERVICE CONTRACT ACT OF 1965, AS AMENDED (MAY 1989)

## 52.222-42 STATEMENT OF EQUIVALENT RATES FOR FEDERAL HIRES (MAY 1989)

(52.222-41 and 52.222-42 apply to service contracts when the amount exceeds \$2,500).

The GSA Form 2166, Service Contract Act of 1965 and Statement of Equivalent Rates for Federal Hires is attached hereto and made a part hereof.

## 52.252-2 CLAUSES INCORPORATED BY REFERENCE (JUN 1988)

This contract incorporates the following clauses by reference with the same force and effect as if they were given in full text. Upon request the Contracting Officer will make their full text available:

### FEDERAL ACQUISITION REGULATION (48 CFR CHAPTER 1) CLAUSES

Applicable to purchase orders for supplies or services:

- 52.203-1 Officials Not to Benefit (APR 84)
- 52.203-3 Gratuities (APR 84)
- 52.203-5 Covenant Against Contingent Fees (APR 84)
- 52.203-6 Restriction on Subcontractor Sales to the Government (JUL 86)
- 52.203-7 Anti-Kickback Procedures (OCT 88)
- 52.212-9 Variation in Quantity (APR 84)  
(In the preceding clause, the permissible variations are stated in the schedule.)
- 52.222-3 Convict Labor (APR 84)
- 52.222-26 Equal Opportunity (APR 84)(Applies when amount exceeds \$10,000.)
- 52.222-35 Affirmative Action for Special Disabled and Vietnam Era Veterans (APR 84)(Applies when amount exceeds \$10,000.)
- 52.222-36 Affirmative Action for Handicapped Workers (APR 84)(Applies when amount exceeds \$2,500.)
- 52.222-37 Employment Reports on Special Disabled Veterans and Veterans of the Vietnam Era (JAN 88)(Applies whenever clause 52.222-35 is included.)
- 52.223-6 Drug Free Workplace (JUL 90)(Applies if contract is awarded to an individual.)
- 52.225-3 Buy American Act - Supplies (JAN 89)
- 52.226-11 Restrictions on Certain Foreign Purchases (MAY 92)
- 52.232-25 Prompt Payment (SEP 92)
- 52.233-1 Disputes (DEC 91)
- 52.233-3 Protest After Award (AUG 89)
- 52.248-1 Contractor Inspection Requirements (APR 84)
- 52.249-8 Default (Fixed-Price Supply and Service)(APR 84)

Applicable to purchase orders for supplies:

- 52.222-4 Contract Work Hours and Safety Standards Act - Overtime Compensation - (MAR 86)(Applies when amount is between \$2,500 and \$10,000.)
- 52.222-20 Walsh-Healey Public Contracts Act (APR 84)(Applies when amount exceeds \$10,000.)
- 52.243-1 Changes - Fixed Price (AUG 87)
- 52.249-1 Termination for Convenience of the Government (Fixed Price)(Short Form)(APR 84).

Applicable to purchase orders for services:

- 52.222-4 Contract Work Hours and Safety Standards Act - Overtime Compensation - (MAR 86)(Applies when amount exceeds \$2,500.)
- 52.243-1 Changes - Fixed Price (APR 84) - Alt. II
- 52.249-4 Termination for Convenience of the Government (Services)(Short Form)(APR 84)

018241

## Request for Taxpayer Identification Number and Certification

Give form to the  
 requester. Do not  
 send to the IRS.

Please print or type	Name (See Specific Instructions on page 2.)	
	Business name, if different from above. (See Specific Instructions on page 2.)	
	Check appropriate box: <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other ▶	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 2. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 2.

Social security number

or

Employer identification number

**Note:** If the account is in more than one name, see the chart on page 2 for guidelines on whose number to enter.

List account number(s) here (optional)

### Part II For U.S. Payees Exempt From Backup Withholding (See the instructions on page 2.)

### Part III Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. person (including a U.S. resident alien).

**Certification Instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 2.)

Sign Here	Signature of U.S. person ▶	Date ▶
-----------	----------------------------	--------

### Purpose of Form

A person who is required to file an information return with the IRS must get your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to give your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee.

If you are a foreign person, use the appropriate Form W-8. See Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Corporations.

**Note:** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**What is backup withholding?** Persons making certain payments to you must withhold and pay to the IRS 31% of such payments under certain conditions. This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

If you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return, payments you receive will not be subject to backup withholding. Payments you receive will be subject to backup withholding if:

- You do not furnish your TIN to the requester, or
- You do not certify your TIN when required (see the Part III instructions on page 2 for details), or
- The IRS tells the requester that you furnished an incorrect TIN, or
- The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the Part II instructions and the separate instructions for the Requester of Form W-9.

### Penalties

**Failure to furnish TIN.** If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal penalty for falsifying information.** Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Misuse of TINs.** If the requester discloses or uses TINs in violation of Federal law, the requester may be subject to civil and criminal penalties.

## Specific Instructions

**Name.** If you are an individual, you must generally enter the name shown on your social security card. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first and then circle the name of the person or entity whose number you enter in Part I of the form.

**Sole proprietor.** Enter your individual name as shown on your social security card on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

**Limited liability company (LLC).** If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Treasury regulations section 301.7701-3, enter the owner's name on the "Name" line. Enter the LLC's name on the "Business name" line.

**Caution:** A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

**Other entities.** Enter your business name as shown on required Federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

### Part I—Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box.

If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see **How to get a TIN below.**

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are an LLC that is disregarded as an entity separate from its owner (see **Limited liability company (LLC)** above), and are owned by an individual, enter your SSN (or "pre-LLC" EIN, if desired). If the owner of a disregarded LLC is a corporation, partnership, etc., enter the owner's EIN.

**Note:** See the chart on this page for further clarification of name and TIN combinations.

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office. Get Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can get Forms W-7 and SS-4 from the IRS by calling 1-800-TAX-FORM (1-800-829-3676) or from the IRS's Internet Web Site at [www.irs.gov](http://www.irs.gov).

If you do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all

such payments until you provide your TIN to the requester.

**Note:** Writing "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

### Part II—For U.S. Payees Exempt From Backup Withholding

Individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends. For more information on exempt payees, see the separate instructions for the Requester of Form W-9.

If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding. Enter your correct TIN in Part I, write "Exempt" in Part II, and sign and date the form.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

### Part III—Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 3, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required).

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified state tuition program payments, IRA or MSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

### Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to give your correct TIN to persons who must file information returns with the IRS to

report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA or MSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia to carry out their tax laws.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 31% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.

## What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee <sup>3</sup>
b. So-called trust account that is not a legal or valid trust under state law	The actual owner <sup>3</sup>
5. Sole proprietorship	The owner <sup>3</sup>
For this type of account:	Give name and EIN of:
6. Sole proprietorship	The owner <sup>3</sup>
7. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
8. Corporate	The corporation
9. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
10. Partnership	The partnership
11. A broker or registered nominee	The broker or nominee
12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity

<sup>1</sup> List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> You must show your individual name, but you may also enter your business or "DBA" name. You may use either your SSN or EIN (if you have one).

<sup>4</sup> List first and circle the name of the legal trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.)

**Note:** If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.



Draft Budget  
 EAC TGDC Comment Review Project

25-May-05

**Fixed Costs**

Personnel	June	July	August	September	October	Total
PM	4000	4000	4000	4000	4000	20000
Student Asst.		600	600	600	600	2400
<b>Total</b>						<b>22400</b>

**Consultants**

King [REDACTED]	3500	3500	3500	3500	3500	17500
-----------------	------	------	------	------	------	-------

Subtotal 39900

Indirect (50%) 19950

**Total Fixed Personnel 59100**

**Variable Costs**

Graduate Stu.		800	800	800	800	3200
Consultants		8000	8000	8000		24000
						<b>27200</b>

Indirect (50%) 13600

**Total Variable Personnel 40800**

Travel 1000 2000 2000 2000 1500 8500

Phone 70 70 70 70 70 350  
 Supplies/Copies 200 200 200 200 800

**Total Variable Non-personnel 9650**

**Contract Total 109550**

Budget  
EAC TGDC Comment Review Project

17-Aug-05

**Fixed Costs**

Personnel	July	August	September	October	November	Total
Project Manager (King) [REDACTED]	3322	3322	3322	3322	3322	16610
Project Coordinator	4000	4000	4000	4000	4000	20000
Faculty(2) @P-T Rate		6000	6000	6000	6000	24000
Student Asst.		1200	1200	1200	1200	4800
System Admin.	1000	1000	1000	1000	1000	5000
Graduate Students		1000	1000	1000	1000	4000
<b>Total</b>						<b>74410</b>
 Indirect (50%)						<b>37205</b>
 Fringes (30%)						<b>22323</b>
				<b>Total Personnel</b>		<b>133938</b>
<hr/>						
Consultants		4000	4000	5000	5000	18000
Travel	2400	5000	5000	5000	4200	21600
Supplies/Copies		300	220	600	260	1380
<b>Project Total</b>						<b>174918</b>

018245  
018245

Carol A. Paquette/EAC/GOV  
07/12/2005 07:23 PM

To "Merle King" <mking@kennesaw.edu>@GSAEXTERNAL  
cc Thomas R. Wilkey/EAC/GOV@EAC  
bcc  
Subject Re: Good to go. [E]

Merle -

I'm delighted that you have decided to move ahead with this work. We are really looking forward to working with Kennesaw. We need to make one further adjustment to the Statement of Work, based on feedback from the Commissioners. They have indicated that the Boards have been working out their own processes for reviewing the Guidelines at their meetings, so we will not need facilitation of these discussions by Kennesaw. However, we do still need to have you attend.

We will get the contract prepared and signed as soon as possible. You didn't provide a cost estimate for the document hosting, so I just increased the funding amount to \$175,000. We can do a contract modification later if necessary to further adjust the funding. This will be a cost plus expenses type contract, not fixed price, so there will be no issue regarding adjusting the cost.

In addition to the EFT form we also need the Kennesaw tax ID#. Cannot process contract through Finance without this information. Also need to know your cognizant federal contract audit agency, but that information is not needed to get contract signed. Thanks and I look forward to working with you and the rest of the Kennesaw team!

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov  
"Merle King" <mking@kennesaw.edu>



"Merle King"  
<mking@kennesaw.edu>  
07/12/2005 06:34 PM

To cpaquette@eac.gov  
cc  
Subject Good to go.

Carol - After some reflection and conversations with the staff here and with Tom on your end, I would like to go forward with the VVSG project.

I have initial edits nearly ready on the glossary. We have the server ready and my guys are looking at the Zone Alarm report to find a work around.

I lost my PM, [REDACTED]. Her contract ended on July 1. She may be able to come back as a part-time consultant so all is not lost, and I have identified another candidate for PM.

I have the completed EFT here. I can fax it to you tomorrow or send it surface mail or both. We need to convert the SOW into a contract. From our end that would be as simple as adding a budget and signatory lines to the existing document.

I need to talk with you regarding the CalTech and Portland trips.

019246

We have been hard-hit by Dennis. We have had building problems and were without power for 4 hours today. Things are a bit hectic here.

Talk to you tomorrow,

Merle

Merle S. King  
<http://science.kennesaw.edu/csis>  
Chair, CSIS Department  
Kennesaw State University  
1000 Chastain Road, MB #1101  
Kennesaw, GA 30144-5591  
voice: 770-423-6354; fax: 770-423-6731

Carol A. Paquette/EAC/GOV  
07/06/2005 06:07 PM

To: "Merle King" <mking@kennesaw.edu>@GSAEXTERNAL  
cc  
bcc  
Subject Ré: Follow Up

Merle -

I expect to get your contract signed in the next day or two. However, I still need those couple bits of information - I think it was tax ID number, cognizant federal contract auditing agency and maybe something else - before it can be processed through finance. Will also be forwarding you some email traffic regarding some issues with the way the current website is working so you can avoid these problems.

The Commissioners have a problem with Brit working on the Guidelines comments. Their view is that there is an inherent conflict of interest for Brit to have been on the TGDC that came up with the basic recommendations and then also to be part of the EAC comment review team. So we will not be able to contract with him for this purpose. I know he has suggested he would resign from the TGDC, but that doesn't really fix this problem.

Attached is the final SOW. Let me know if you have any issues or questions with it. Thanks!



SOW guidelines review.doc

I'll forward your message to Tom. His email address is twilkey@eac.gov.

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov  
"Merle King" <mking@kennesaw.edu>



"Merle King"  
<mking@kennesaw.edu>  
07/06/2005 04:03 PM

To cpaquette@eac.gov  
cc  
Subject Follow Up

Carol - Any decision yet on the contract with KSU and Brit?

I have attached a word document regarding a training program that we are doing for election observers at the Carter Center. Tom Wilkey, Brit and I were discussing the usefulness of a similar program for NIST scientists - to familiarize them with the life cycle of an election. I do not have Tom's email address at the EAC. Could you forward this proposal to him?

Thanks, and let us know.

- Merle

018248

Carol A. Paquette/EAC/GOV  
07/06/2005 10:28 AM

To Gracia Hillman/EAC/GOV, Paul DeGregorio/EAC/GOV,  
Raymundo Martinez/EAC/GOV, Thomas R.  
Wilkey/EAC/GOV, Juliet E. Thompson/EAC/GOV

cc

bcc

Subject Guidelines support from Kennesaw State - DECISION  
REQUIRED BY FRIDAY, JULY 8

Commissioners -

Attached is the Statement of Work I have discussed with Merle King at Kennesaw State, specifically the Center for Election Systems. The period of performance for this work would be from the date of award through the end of December 2005. This will allow ample time to complete the Guidelines revisions and archive the comments and other materials from the comment review process. Prior to our making arrangements for them to provide web hosting for the document and collecting the on-line comments, they had given me an estimate of about \$150,000 for this effort. I am proposing to increase that amount to \$175,000 to cover the use of their secure server and IT support services.

I was asked to ascertain whether the Center for Election Systems or Kennesaw State had publicly taken any positions regarding VVPAT or other high profile election administration issues. Merle King has provided assurances that they have not testified on this matter to the Georgia legislature or expressed an opinion in any other venue. They have presented testimony to NIST, but on the topic of voting system functionality requirements. There was also the question of potential conflict of interest since the Center is funded as a line item in the Georgia Secretary of State's budget. Similar to our contract with the Eagleton Institute, the EAC contract would be with the University, since sub-elements do not have contracting authority. While the contract would draw on the expertise of Center personnel, their work would be managed and accountable independently through the University.

As a retiree of the Georgia higher education system, Brit Williams is prohibited from being a consultant on any university contract. His work with the Center is actually paid for through a contract with the Secretary of State's office. We anticipate potentially contracting with Brit to assist with the management guidelines work we plan to get underway in conjunction with NASED. He will not be involved with the Guidelines comment review work.



SOW guidelines review.doc

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov

018249



"Brit Williams"  
<britw@...>  
06/28/2005 11:33 AM

To "Merle King" <mking@kennesaw.edu>, "Carol Paquette"  
<cpaquette@eac.gov>  
cc  
bcc  
Subject Re: website

Carol - I am responding to this because I am not at all sure that everyone does know my position on VVPATs.

My position is this:

I have absolutely no objection to VVPATs, but believe that they are not technically necessary. We are entirely capable of building and operating accurate, secure paperless electronic voting systems. Many jurisdictions, including the State of Georgia, are currently conducting accurate, secure elections on pure DRE voting systems.

I fully support the concept of allowing voter's to verify their ballots and have no problem with jurisdictions that wish to use paper for this process.

I look forward to seeing you in New York.

Best regards.

Brit

----- Original Message -----

From: "Merle King" <mking@kennesaw.edu>  
To: <cpaquette@eac.gov>  
Sent: Tuesday, June 28, 2005 9:07 AM  
Subject: Re: website

> Carol - The Center staff has never given testimony to the GA  
> Legislature. I have given testimony once, at a NIST meeting, but it was  
> on the topic of functionality, not VVPAT.  
>  
> The organization of the full-time staff at the Center is as follows:  
>  
> Merle King - Executive Director  
> Ray Cobb - Director  
> Tara Robie - Sr. Project Coordinator  
> Anthony Peel - Sr. Project Coordinator  
> Jessica Bamford - Project Coordinator  
>  
> Brit is a contractor with the SOS office and although he spends time at  
> the Center, he is not on the Center budget. He does not report to me.  
>  
> The Center is completely funded by the SOS of Ga., as a line item in  
> their budget.  
>  
> The Center staff has had private conversations with our vendor  
> regarding VVPAT and I have expressed my opinion to several vendors on  
> the legal and operational issues associated with the concept.  
>  
> I have discussed the proposed work for the EAC with the SOS Elections  
> Director and we believe there is not a conflict of interest in the

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> proposal. I think we can be impartial and objective in our review of  
> comments. Our position has always been to enforce the law, rules and  
> regs.

> There is also a separation of responsibility component to the proposal.  
> The work with the EOC will be through my department (Computer Science  
> and Information Systems). It will not be with the Center for Election  
> Systems.

> Hope this helps.

> - Merle

> Merle S. King  
> <http://science.kennesaw.edu/csis>  
> Chair, CSIS Department  
> Kennesaw State University  
> 1000 Chastain Road, MB #1101  
> Kennesaw, GA 30144-5591  
> voice: 770-423-6354; fax: 770-423-6731

>>>> <cpaquette@eac.gov> 6/27/2005 5:38:47 PM >>>

> Merle -

> Discussed transferring the Guidelines document and comment application  
> with the Commissioners and the Executive Director (Tom Wilkey) this  
> morning, along with the other tasks related to reviewing the comments  
> that you had provided a proposal for. Being ever cognizant of how the  
> EAC  
> is perceived, the Commissioners asked me to check to see if the Center  
> or  
> Kennesaw ever provided testimony to the GA legislature or has otherwise  
> taken a public position on the topic of voter verified audit trails? We  
> know Brit's views, but he was always speaking for himself on the topic.  
> The question is whether the Center itself has taken a position on this  
> high profile issue. Also, my understanding is that the Center is pretty  
> much fully funded by the GA Secretary of State's office. Would that  
> relationship in any way impinge on your ability to be objective and  
> impartial when reviewing and advising on the disposition of comments?  
> Can  
> you advise? Thanks!

> Carol A. Paquette  
> U.S. Election Assistance Commission  
> (202)566-3125      cpaquette@eac.gov

> "Merle King" <mking@kennesaw.edu>

018251



"Merle King"  
<mking@kennesaw.edu>  
06/28/2005 09:07 AM

To cpaquette@eac.gov  
cc  
bcc  
Subject Re: website

Carol - The Center staff has never given testimony to the GA Legislature. I have given testimony once, at a NIST meeting, but it was on the topic of functionality, not VVPAT.

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Anthony Peel - Sr. Project Coordinator  
Jessica Bamford - Project Coordinator

Brit is a contractor with the SOS office and although he spends time at the Center, he is not on the Center budget. He does not report to me.

The Center is completely funded by the SOS of Ga., as a line item in their budget.

The Center staff has had private conversations with our vendor regarding VVPAT and I have expressed my opinion to several vendors on the legal and operational issues associated with the concept.

I have discussed the proposed work for the EAC with the SOS Elections Director and we believe there is not a conflict of interest in the proposal. I think we can be impartial and objective in our review of comments. Our position has always been to enforce the law, rules and regs.

There is also a separation of responsibility component to the proposal. The work with the EOC will be through my department (Computer Science and Information Systems). It will not be with the Center for Election Systems.

Hope this helps.

- Merle

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>>> <cpaquette@eac.gov> 6/27/2005 5:38:47 PM >>>  
Merle -

018252

Discussed transferring the Guidelines document and comment application with the Commissioners and the Executive Director (Tom Wilkey) this morning, along with the other tasks related to reviewing the comments that you had provided a proposal for. Being ever cognizant of how the EAC is perceived, the Commissioners asked me to check to see if the Center or Kennesaw ever provided testimony to the GA legislature or has otherwise taken a public position on the topic of voter verified audit trails? We know Brit's views, but he was always speaking for himself on the topic. The question is whether the Center itself has taken a position on this high profile issue. Also, my understanding is that the Center is pretty much fully funded by the GA Secretary of State's office. Would that relationship in any way impinge on your ability to be objective and impartial when reviewing and advising on the disposition of comments? Can you advise? Thanks!

Carol A. Paquette  
U.S. Election Assistance Commission  
(202) 566-3125 cpaquette@eac.gov

"Merle King" <mking@kennesaw.edu>  
06/27/2005 05:14 PM

To  
cpaquette@eac.gov  
cc  
"Ken Honea" <khonea@kennesaw.edu>  
Subject  
website

Carol -

I noticed that you got the glynn.com site up and running on Saturday.

We have reserved the following url:  
<http://guidelines.kennesaw.edu/guidelines> and put the content there.  
The firewall is properly configured so that it can be linked when you are ready.

Please advise on how we should proceed.

Thanks,

Merle

018258

Carol A. Paquette/EAC/GOV  
06/10/2005 08:43 AM

To mking@kennesaw.edu  
cc  
bcc  
Subject proposal

Merle -

The proposal looks fine. Based on a conversation with Steve Berger a few days ago, I have another task to add. Sorry for the piecemeal approach; this will be the last "add-on".

The new task is as follows:

There are several places in the Voting System Guidelines (especially in Volume II on testing), that refer to "external" standards: e.g., ANSI, IEC, MILSTD. We need to create a references section in the document where all these materials are referenced in their latest version. It will require some research to determine what the latest version is. As versions change, EAC can issue an addendum to the references without having to dig into the entire document with changes. Then the text reference can be simply the title of the reference. Also, if there are commercial standards that replace the MILSTDs, we'd like to reference those instead, since many of the MILSTDs are no longer maintained by DoD.

The cognizant federal contract audit agency is whatever organization has been named to audit any federal grants or contracts that the University has. Either your budget or grants/contracts people should know who this is.

Carol A. Paquette  
Interim Executive Director  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov

018254



"Merle King"  
<mking@kennesaw.edu>  
06/08/2005 07:51 PM

To cpaquette@eac.gov  
cc  
bcc  
Subject Proposal

Carol - I have taken another cut at the EAC TGDC Guidelines Proposal. Please see attached.

I have made two modifications to the budget. The budget is now at \$149,050. Let me know if that creates issues:

1. I forgot to include fringes for full-time employees in the original
2. I have added additional consultant capacity regarding the need to provide maintenance of the guidelines and travel to all board meetings by the KSU team.

I am tracking down a couple of pieces related to Tax ID and the ETF form. I am not sure what "Cognizant Federal Contract Audit Agency" means. Our budget people might, but if you could help clarify that piece it would help.

We are closing out our fiscal year, so things have ground to a halt in terms of support from our business office. Sorry for the delay

- Merle

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<http://science.kennesaw.edu/csis>  
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EACTGDGGuidelinesContract060505.doc

018255

Carol A. Paquette/EAC/GOV  
06/01/2005 09:04 AM

To mking@kennesaw.edu  
cc britw@  
bcc  
Subject additional contracting information

Merle -

Need to get revised cost estimate from you to include additional activities outlined in my email of 5/26. Specifically, maintaining the master working copy of the Guidelines and organizing the discussion process for the EAC Boards meeting to comment on Guidelines. I'm assuming that the comment about receiving "white papers" for review and assessment will be subsumed under the existing estimate for processing comments, since that's a very indefinite quantity of work at this point. Just as a point of reference, we received more than 300 comments on our recently published 5-6 page draft guidance document on statewide voter registration lists.

Also, need the following information for contract processing purposes:

1) Name, mailing address for contractor organization, plus appropriate points of contact and their contact information - meaning, if there will be a contract manager apart from the project manager, we would like to have information for both. I think you mentioned that the contract would be with Kennesaw State not with the Center.

2) Tax ID number

3) Classification and type of business

4) Remittance address, including information for electronic funds transfer (form attached)

5) Cognizant federal contract audit agency

We are moving ahead with this, so please provide this information as soon as possible.

Thanks!

Carol A. Paquette  
Interim Executive Director  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov

018256

Carol A. Paquette/EAC/GOV  
06/01/2005 09:56 AM

To mking@kennesaw.edu  
cc  
bcc  
Subject EFT form

Merle -

Forgot to attach this form to previous email.



EFT form~9075810.tif

Carol A. Paquette  
Interim Executive Director  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov

018257

Carol A. Paquette/EAC/GOV  
05/26/2005 07:57 AM

To "Merle King" <mking@kennesaw.edu>@GSAEXTERNAL  
cc  
bcc  
Subject Re: Follow-up to Monday's Meeting

Merle -

This is a good summary. A few additional things came to mind as I was reviewing this:

1) I think we would also want you to maintain and revise the master working copy of the Guidelines, under strict version control, so we can be working on updates during the comment period. We want to do everything we reasonably can to minimize the time needed at the end of the period to wrap everything up. I envision the process working as follows. As you note in your paragraph 3, the reviewers will categorize comments and make recommendations to EAC on their disposition. In turn, we would advise you of the Commission's decision on your recommendations and you could make appropriate changes to the document.

2) We expect some comments may come in the form of "white papers," not necessarily related by the author to a specific section of the Guidelines. For example, Ted Selker at MIT offered to provide his specification for audio-verified audit trails for inclusion in the initial set of TGDC recommendations. It was too late in the process for additional material of this scope to be considered, so I told him he should submit it during the comment period. I understand that we may have a similar paper to consider on cognitive disabilities. The point being that comments may arrive in all shapes and sizes and we just have to make sure we have a process for tracking and handling them all. We're doing a walkthrough of the comments web application today and I will find out if data can be entered into the database manually, so we can have a single source for capturing all comments, whether received by web form, email attachment, or snail mail.

3) Speaking of the web application, I'm going to forward you the link and password for the demo version, so you can have a look at it and see if there are modifications we should make.

4) Just a little more detail on your paragraph 5. There will be 2 hearings and one combined Board meeting dealing with the Guidelines. The first hearing is June 30 in New York City. The second is July 26; location still to be determined, but will be west of Mississippi. Board meeting will be sometime in July, again the location hasn't been determined as yet. I anticipate that the Board meeting will be 1.5 - 2 days. Would have your team organize the discussion for this meeting, so we can get through the entire document and cover all their concerns.

Your estimated cost looks fine; I anticipate it will increase somewhat with the additional work outlined above. I will look into what we can do to get a separate contract in place for Brit. Call me if we need to discuss any of this. Thanks!

Carol A. Paquette  
Interim Executive Director  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov  
"Merle King" <mking@kennesaw.edu>



"Merle King"  
<mking@kennesaw.edu>  
05/25/2005 05:35 PM

To cpaquette@eac.gov  
cc  
Subject Re: Follow-up to Monday's Meeting

018258

Carol - The prior email only addresses the Guidelines. We thought that had the highest priority and we (Brit, Kathy Rogers, and I) need some time to discuss the Management Guidelines work.

Talk to you soon,

Merle

Merle S. King  
http://science.kennesaw.edu/csis  
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Kennesaw State University  
1000 Chastain Road, MB #1101  
Kennesaw, GA 30144-5591  
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>>> <cpaquette@eac.gov> 5/25/2005 5:30:38 PM >>>  
Merle -

Thanks for getting back to me so quickly on this. I will review this evening and get back to you tomorrow. Just at a glance this appears to

only include the Guidelines review assistance. So can I assume that there will be another paper coming on the Management Guidelines work?

Appreciate you and Brit traveling to DC to have this conversation. I agree that it was very helpful in fleshing out the concept for both of these tasks.

Carol A. Paquette  
Interim Executive Director  
U.S. Election Assistance Commission  
(202) 566-3125 cpaquette@eac.gov

"Merle King" <mking@kennesaw.edu>  
05/25/2005 04:51 PM

To  
cpaquette@eac.gov  
cc

Subject  
Follow-up to Monday's Meeting

Carol - Thank you for giving us your morning on Monday. It was very helpful to hear your explanations of the work products for the Guideline

018259